Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crime

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Abstract

Law enforcement strategic intelligence theory and practice has developed slowly as a result of intelligence-led policing methodologies and police cultural resistance. The implementation of '*intelligence-led policing*'—one of the most widely supported police management methodologies—has focused on tactical implementation of intelligence support. As a result, most law enforcement intelligence research, as well as organisational and professional intelligence doctrine, has had a sharp tactical focus which has centred on information collection, collation and sense-making at the street and case level.

Since the late 1980s, law enforcement agencies have become increasingly aware that their capabilities have been surpassed by the number of criminal acts and their increasing complexity. This issue has been particularly evident with regards to transnational organised crime (TOC). Organised crime activities and interests have rapidly expanded from being localised, then nationalised, followed by regionalised and finally globalised making the threat that TOC poses to national and regional security significantly greater. This increased threat has been accompanied by an increase in the complexity of TOC structures and activities. Globally law enforcement agencies have experimented with, developed and implemented a range of police management methodologies to move from responsive to proactive paradigms in response to developments in the crime environment—especially TOC.

The application of strategic intelligence in law enforcement has been viewed by some justice policy professionals and senior police officers as the means by which decision-making on strategy setting and policy, using incomplete or complex data sets, can be made more objective. In this context intelligence is used to make '*sense*' of the sheer volume of information now available. This becomes increasingly important in an age where the role of police has morphed from a simplistic response and enforcement activity to one of managing human security risk.

The primary research question which guided this thesis was '*How can strategic intelligence be used to support law enforcement decision-makers in preventing, detecting, disrupting, and investigating transnational organised crime*'. This research was underpinned by an interpretivist theoretical perspective. The research methodology allowed for the selection of an explorative approach, using case studies that then permitted the development of a new strategic intelligence framework. The complexity of the variables involved and the selected exploratory approach necessitated the use of multiple data collection methods incorporating a multi-disciplinary theoretical framework. This framework allowed for the use of inductive reasoning in theory development. It also highlighted the need to undertake a comparative approach that utilised historical and archival research, case study analysis and the application of triangulation given its capacity to provide a better understanding of strategic TOC intelligence. The thesis develops a hybrid conceptual model for strategic intelligence in law enforcement, which explains how strategic intelligence interacts and influences police management processes. The research provides an understanding of the impact of strategic intelligence across the range of strategic responses to transnational organised crime and the implications this has for police management and intelligence theory.

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Abbreviations

ACC	Australian Crime Commission
ACID	Australian Criminal Intelligence Database
ACS	Australian Customs Service
AFP	Australian Federal Police
AGD	Attorney General's Department
AIC	Australian Intelligence Community
ALEIN	Australian Law Enforcement Intelligence Network
CCIM	Canadian Criminal Intelligence Model
CISC	Criminal Intelligence Service Canada
COAG	Council of Australian Government
CRQ	Central Research Question
CT	Counter-Terrorism
ICP	Intelligence Collection Plan
IDR	Illicit Drug Report
ILP	Intelligence-Led Policing
IPP	Intelligence Project Proposal
IQ	Interview Question
IR	Information Report
KM	Knowledge Management
NCIE	National Criminal Intelligence Estimate
NCIP	National Criminal Intelligence Priorities
NCIR	National Criminal Intelligence Requirements
NIC	National Intelligence Committee
NIOS	National Intelligence Officers Section
NSC	National Security Committee

NTA	National Threat Assessment
NZ	New Zealand
OC	Operations Committee
OC	Organised Crime
OCTA	Organised Crime Threat Assessment
PESTEL	Political, economic sociological environmental and legal
PoCA	Picture of Criminality Australia Report
QUT	Queensland University of Technology
RCMP	Royal Canadian Mounted Police
SCIA	Strategic Criminal Intelligence Assessments
SEW	Strategic Early Warning
SIO	Special Intelligence Operation
SIR	Strategic Intelligence Report
SLG	Senior Leadership Group
SOCA	Serious Organised Crime Agency
TOC	Transnational Organised Crime
TQ	Theory Question
UHREC	University Human Research Ethics Committee
UK	United Kingdom
UKNIM	United Kingdom National Intelligence Model
UNODC	United Nations Office of Drug Control
US	United States of America

Statement of Original Authorship

The work contained in this thesis has not been previously submitted to meet requirements for an award at this or any other higher education institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made.

Signature: QUT Verified Signature

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Chapter 1
The Research Problem

1.1 The Research Problem

The primary question which guides the exploration of this research problem is '*How can strategic intelligence be used to support law enforcement executive decision-makers in preventing, detecting, disrupting, and investigating transnational organised crime'*. Law enforcement, national security and academia (including those academics focused on law enforcement, international relations, criminology and intelligence studies) have not been able to agree on a universal definition of *'intelligence'* let alone '*strategic intelligence*'. Within the context of this research, strategic intelligence (the output) is an intelligence product which is targeted at supporting executive decision-makers to design and implement organisational strategies.

Academic research and discourse in the later stages of the 20th and the dawn of the 21st century has highlighted that the future of successful law enforcement activities against transnational organised crime (TOC) must be better coordinated and involve holistic strategies (see also Verfaillie and Beken, 2008). The terms '*prevent*', '*detect*', '*disrupt*' and '*investigate*' in this context relate to the need for strategies to be holistic in nature, drawing on a range of traditional and non-traditional or, perhaps more correctly termed, non-enforcement strategies.

The development of a universal definition for TOC is problematic. A range of definitions have been developed by governments, law enforcement agencies and academics. In each case, like the definition of intelligence, they have not been universally endorsed (see also Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Ratcliffe, 2008c; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009). For the purposes of this research '*transnational organised crime*' is defined in similar terms as that provided in the *United Nations Convention against Organised Crime* (2003, p. 5). The definitions that are used are as follows:

- An '*organised criminal group*' is defined as a '*group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences in order to obtain, directly or indirectly, a financial or other material benefit*' (*United Nations Convention against Organised Crime,* 2003; p. 5). The term '*structured*', originally in the Convention definition, has been removed so that the concept of networked criminal groups would be within the scope for consideration by this research project.

- 'Serious crime' is defined as '*conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty*' (*United Nations Convention against Organised Crime,* 2003; p. 5).
- A 'structured group' is defined as '*a group formed that is not randomly formed for the immediate commission of an offence that does not need to have formally defined roles for its members, continuity of its membership or a developed structure*' (*United Nations Convention against Organised Crime,* 2003; p. 5).
- 'Transnational' means an offence involving the physical or virtual crossing of geopolitical boundaries by offenders, including their communication or commodities (*United Nations Convention against Organised Crime,* 2003; p. 5).

1.2 Research Objectives

The primary objective of this research is to make a meaningful contribution to the further development of theoretical knowledge of law enforcement intelligence. The research is significant because it provides an understanding of the impact of strategic intelligence across the range of strategic responses to TOC and the implications this has for police management. This research explores the practical application of intelligence models that have been previously examined in a theoretical setting and establishes the value they provide in supporting decision-making. In this context the research identifies the difference between intelligence and police inputs to decision-making.

The research makes an original contribution to the field of intelligence through the exploration of the effectiveness of strategic intelligence in supporting the prevention, disruption, detection and investigation of TOC. The research also provides an original analysis of the relationship between strategic intelligence and strategy setting.

Finally, this research culminates in the development of a hybrid conceptual model for strategic intelligence in law enforcement. In developing this model a framework of how strategic intelligence interacts and influences management processes in the law enforcement organisation is developed.

1.3 Contextualisation of the Research Problem

The years of the Cold War could be considered the golden age of the intelligence profession (see also Kahn, 2009). The period was marked by a clear threat, which provided an analytical certainty, allowing for the intelligence profession's development of detailed warning indicators and long-term predictions (Davis, 2007, 2009). This clarity allowed for the development of extensive intelligence collection capabilities, with large budgets being the norm (Fingar, 2011; pp. 1-2). In turn the intelligence profession was able to undertake its activities with almost negligible external criticism or accountabilities. With the end of the Cold War came increased accountability, decreased budgets and an uncertain intelligence landscape where the nature and source of threats had changed (see also Fingar, 2011).

Since the latter half of the 20th century popular media has portrayed intelligence as a clandestine activity involving deception, intrigue and unscrupulous conduct. The intelligence activities of Western governments since the September 11, 2001, terrorist attacks (referred to as 9/11 from this point forward) have done little to avail these perceptions. The very value of national intelligence has now been called into question given its spectacular failures with regards to predicting 9/11 and the existence of Iraq's Weapons of Mass Destruction (Holland, 2007; pp.199-219).

Since 9/11 a new age of intelligence has arisen. In this new age resourcing has surged, uncertainty has increased and accountability regimes have expanded. The application of intelligence methodologies continues to expand in both the private and public sector (see also Holland, 2007; and Rud, 2009). Even with the numerous recent failings, funding for military and national intelligence in the Western world continued to grow in real terms until the recent global economic crisis. Additionally, the concept of business intelligence in the private sector is finding its way into the lexicon of management vocabulary, literature and research (Rud, 2009; pp. 5-19).

Law enforcement culture is one of hard facts and the preparation of information for presentation in a relevant justice system. Even at the national level law enforcement is an operationally-focused activity. The initial implementation of '*intelligence-led policing*' (ILP)—one of the most widely supported police management methodologies—has subsequently focused on tactical implementation of intelligence support (see also Ratcliffe, 2008a and 2008b). As a result, most law enforcement intelligence research, as well as organisational and professional intelligence doctrine, has had a sharp tactical focus which has centred on information collection, collation and sense-making at the street and case levels (see also Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Ratcliffe, 2008c; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009).

Law enforcement strategic intelligence theory and practice has developed slowly as a result of ILP methodologies and cultural resistance (Rogers, 2009; pp. 13-20). This can also be attributed to the information-poor and analysis-rich nature of predictive strategic intelligence, which could be considered the antithesis of law enforcement's demand for evidence-based intelligence (see also Ratcliffe, 2008a). Strategic intelligence has struggled to prove its value-add in law enforcement. By using the lessons of tactical intelligence and its collation and analytical tools strategic intelligence has often not been able to etch an organisational role beyond that of a collation service (see also Walsh, 2011). Often law enforcement's strategic intelligence capabilities are limited to the production of annual reports that involve collation and crime analysis rather than intelligence (see also Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Ratcliffe 2008c; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009).

The scope of intelligence studies could in fact be rapidly expanded should it include law enforcement and private sector applications of intelligence. This increased scope could be used to provide new approaches to solving intelligence studies' longstanding axiomatic, definitional and theoretical challenges (Sheptycki, 2009). At an axiomatic level there is still much discourse required to define what constitutes intelligence and how it is created. Law enforcement itself provides a near perfect setting for this discourse with its evolution towards becoming a strategic enterprise. Intelligence is only now starting to develop holistic assessments of law enforcement's strategic operating environment that in turn can be used to support executive strategic decision-making (Walsh, 2011; pp. 17-33).

The events of 9/11 and almost ten years of focusing on joint national security and policing operations have driven a process of securitisation and militarisation in many Australian, American, British, Canadian and New Zealand (NZ) law enforcement organisations (Best, 2010). This process has not been gradual and if the uniqueness of law enforcement intelligence epistemology is to be studied then it needs to occur rapidly before any further harmonisation occurs. As highlighted by Sheptycki (2009), law enforcement may offer the study of intelligence a true alternative axiomatic paradigm.

Kahn (2009; pp. 4-15) argues that intelligence has been a field of academic study for over 50 years, and now plays a central role in decision-making in both the private and public sector. To date no theories of intelligence (of any substance) have been universally accepted (Warner, 2009; pp. 16-18). The evolution of intelligence to a more central role in policing strategy, combined with the complex operating context that it operates in, makes the analysis of strategic intelligence in law enforcement complicated, interesting and important.

For almost ten years the concept of intelligence and its inherent value in improving law enforcement performance has dominated academic discourse on police management methodologies (see also Ratcliffe, 2008a, 2008b and 2008c; Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009). Whilst law enforcement management has been preoccupied with managing the day-to-day conduct of tactical law enforcement activities their operating environment has drastically changed. Furthermore, the public's performance expectations for law enforcement have evolved to a point where they demand that police organisations make objective decisions on strategy development and, just as importantly, hold them accountable for such decisions (Verfaillie and Beken, 2008; pp. 534-544).

The application of strategic intelligence in law enforcement has been viewed as the means by which decision-making related to strategy setting and policy, using incomplete or complex data sets, can be made more objective (see also Ratcliffe, 2008a and 2008b). In this construct intelligence is used to make '*sense*' of enormous volumes of information available to the decision-maker. This becomes increasingly important in an age where the role of police has morphed from one of being a simplistic response and enforcement activity to one of managing human and national security risk; intelligence can be used to reduce the impact of strategic surprise from evolving criminal threats and changes in the operating environment (Sheptycki, 2009).

Although many agencies—including Criminal Intelligence Service Canada (CISC), the United Kingdom's (UK's) Serious Organised Crime Agency (SOCA) and the Australian Crime Commission (ACC) and Australian Federal Police (AFP)—use '*law enforcement*' and '*policing*' interchangeably, it can be argued that they have very specific and different meanings (Laqueur, 2009). These differences in meaning impact on the role of strategic intelligence within the organisations in question (Johnson, 2009).

Thorne (2003) argues that the shifting focus of police over time has been cyclical in nature. At its inception policing was focused on crime prevention and peacekeeping rather than the enforcement of jurisdictional laws (Edwards and Gill, 2007). In the years that have followed the '*traditional*' approach to policing has shifted focus towards the '*enforcement of law*' manifested in the response and investigation of criminal activities (Dupont and Brodeur, 2006). These evolutionary changes have been a necessary response to the increasing operational complexity and demographic changes, not to mention increasing bureaucratic accountabilities (Casey, 2007).

Whatever the original rationale for the change, it would appear that law enforcement agencies have continued to question their underlying management philosophies (Ball, 2007). This is evidenced in the number of policing methodologies ranging from community policing, problem-orientated policing, COMPSTAT to ILP and now predictive policing (Collier, 2006). Throughout this period of cyclical—and often tumultuous—change a number of organisations and agencies have adopted '*law enforcement*' and/or '*policing*' terminology without any evidence that they considered their meaning and impact on organisational roles (Collier, 2006; and Cope, 2004). Definitional discourse on policing and enforcement have important ramifications for the development of a strategic intelligence model or theory (Dupont, 2003; and George and Bruce, 2008).

Law enforcement agencies have been under significant pressure since the 1980s to be more accountable for the expenditure of public monies (Verfaillie and Beken, 2008; pp. 534-544). In this accountability regime there has been a dual focus by successive governments in Canada, Australia and the UK to account for what has been achieved, and how this has been done. As a result, law enforcement has attempted to rapidly move from its traditional reactive approach by grasping on to emerging ideas.

As a result a number of police management models have evolved to answer the questions: '*what should be achieved?*' and '*how should it be done*?' (see also Verfaillie and Beken, 2008). These new police management models tend to share the underlying intent to move law enforcement from a reactive to proactive paradigm. The dominant police management models are (Ratcliffe, 2008c):

- Problem-Orientated Policing;
- Community Policing;
- COMPSTAT; and
- ILP.

In all of these contemporary police management models underlying similarities shape their theoretical construction. The most significant of these are the desire to transform policing from a responsive to proactive paradigm, and the requirement for law enforcement to be strategically managed (Ratcliffe and Guidetti, 2007; and Ball, 2007). Furthermore, each model calls for the supply of increasing quantities of information and intelligence to inform management decisions (Ratcliffe, 2008a and 2008b).

The globalised context that sovereign states operate in has seen the threat posed to national security by non-state actors—including TOC—rapidly expand in size and nature (see also Felsen and Kalaitzidis, 2005; pp. 3-5; and Kilcullen, 2009; pp.5-8). TOC is an issue that has become a focal point for a range of private and public sector stakeholders. TOC is not a new phenomenon, with its origins appearing to be at least as old as national governments and international trade (Woodiwiss, 2007; pp. 13-15). What is new, however, is the rapid expansion of TOC activities and interests from being localised, then nationalised, regionalised and finally globalised (Hill, 2005; pp. 47-49). The increasing scope of this threat has been accompanied by an increase in the complexity of TOC structures and activities (Hill, 2005; pp. 47-49; and Jones, 2009). It could also be argued that what has changed is the way sovereign states perceive the TOC problem and its resulting harms (see also Harfield, 2008).

Over the last 20 years sovereign states, international bodies and non-government organisations alike have increasingly described TOC as a threat to national security and regional stability (Woodiwiss, 2007; pp. 13-15). In part this increased awareness has been related to TOC's increased mobility and capabilities. It can also be linked to a growing awareness in law enforcement that stereotypical justice responses to TOC are no longer as effective as deterrents or enforcement strategies (Joutsen, 2005; pp. 255-260).

The disposition of the threat posed by TOC is difficult to establish given the secretive nature of such crimes and the misunderstandings about its nature (Williams and Godson, 2002). Popular media today, much like that present in the 1950s, continues to conjure an image of TOC as being carried out by hierarchical ethnic organisations similar to the *Corleone Family* from the Godfather. Much of the original conceptualisation of hierarchical crime groups can be traced to the post World War Two American domestic security focus on ethnic conspiracy theories rather than being grounded in research (Edwards and Gill, 2007; pp. 7-9).

From the early 1990s professional discourse highlighted that TOC was an unprecedented and complex threat to national security that would require equally complex responses (Verfaillie and Beken, 2008; pp. 534-544). The events of 9/11 highlight the complex decision-making context that governments face in responding to rapidly evolving non-state threats such as TOC and the important role of strategic intelligence.

TOC resilience to traditional law enforcement responses has resulted in very public calls for a range of new tactics/approaches and strategies to mitigate its impacts (see also Joutsen, 2005; pp. 255-260). Globally law enforcement agencies have experimented with, developed and implemented a range of police management methodologies to move from responsive to proactive TOC strategies (Verfaillie and Beken, 2008; pp. 534-544).).

1.4 Structure of the Thesis

This thesis has been structured using Dunleavy's (2003) '*Compromise Model for Academic Research*':

- Chapter Two provides a substantive literature review relating to strategic TOC intelligence in law enforcement.
- Chapter Three discusses the theoretical foundation for the selection of the research methodology that was used to explore the research question as outlined in Chapter One.
- Chapter Four presents an analysis of case studies of CISC's and SOCA's application of strategic intelligence against TOC.
- Chapter Five presents a case study of the Australian Crime Commission's (ACC) application of strategic TOC intelligence.
- Chapter Six commences a case study of the Australian Federal Police (AFP) through an analysis of its operating context, with a particular focus on TOC.
- Chapter Seven explores the AFP's application of intelligence through an analysis of its corporate documents, organisational doctrine, intelligence reports and data collected through semi-structured, in-depth, qualitative interviews. The chapter provides a detailed description of the AFP's application of intelligence and its relationship with decision-making processes.

- Chapter Eight use the case studies' findings and observations to directly address the primary research question. Using the structure of the findings of the primary research question two conceptual frameworks for strategic intelligence in law enforcement are developed.
- Chapter Nine closes the thesis with a synopsis of the research process: literature review, methodology, case study analysis, and research findings. The chapter also explores the research limitations and raises opportunities for future research.

1.5 Conclusion

This chapter has provided an initial exploration of strategic intelligence in law enforcement. In doing so it has contextualised law enforcement strategic intelligence with regards to the study of intelligence in general, intelligence in law enforcement and law enforcement management models. This theoretical discussion has then been applied to the specific law enforcement challenge of TOC. Through this initial research the chapter has defined the research problem that the thesis will analyse.

Chapter Two provides a substantive literature review to underpin the further development of the research problem and methodology selection. The primary focal point of Chapter Two's literature review is to analyse previous research outcomes and theories. As such, Chapter Two identifies the central issues relating to law enforcement intelligence and critically analyses previous research, identifying weaknesses in order to justify the conduct of further research.

Chapter 2
Literature Review

2.1 Introduction

This chapter provides a review of the literature relating to strategic transnational organised crime (TOC) intelligence in law enforcement. The primary aim of the review is to identify the central issues relating to law enforcement intelligence, and to critically analyse previous research to identify weaknesses in order to justify further research.

This review specifically focuses on discussing research and studies that have implications for strategic intelligence and strategy setting in a TOC context. As this dissertation deals with a specific and complex crime type, the literature relating to less complex street policing crime types has been excluded. Much of this excluded research specifically focuses on highlighting the value of tactical intelligence in decision-making and problem solving but provides little data for exploring strategic intelligence.

Literature connecting intelligence with TOC and decision-making/strategy setting in law enforcement was selected for inclusion in this review. The sources were selected based on an analysis of their contributions to law enforcement in this context.

2.2 Methodologies

Upon reviewing the literature a number of similarities and patterns in research methodologies were identified. The reviewed literature generally used qualitative data collection methods. TOC research has been undertaken with similar research approaches. In these TOC studies researchers developed theories through the application of inductive logic to descriptive data collection methodologies.

Most of the reviewed literature utilised small sample (ranging from 20–50 subjects) data collection. These studies almost universally used qualitative interviews and street, or community-based, case studies. Ninety per cent of the reviewed literature focused on researching the tactical application of intelligence in support of street policing. When undertaking this research authors overwhelmingly applied explorative approaches in the analysis of archival and public record documents. Previous research has given little consideration to the implications of their findings for strategic intelligence in law enforcement.

2.3 Intelligence Studies

Academic studies of intelligence in law enforcement have developed separately from the field of intelligence studies, despite the possibility for the development of overarching intelligence theories. Since its early days, intelligence studies (the field of study) has concerned itself with the development of theories and the promotion of discourse on the fields of national security and military intelligence (see also Kahn, 2009). As a result of this narrow historical focus intelligence studies' theories have been underpinned by international relations theories (Liaropoulous, 2006).

The study of intelligence has resultantly been firmly contextualised as an adjunct to international relations research (Kahn, 2009). The axiomatic focus on international relations appears to have prevented intelligence studies from adopting an academic genus which incorporates national security, military, law enforcement and business intelligence (Hoogenboom, 2006; pp. 373-378). It could be argued that law enforcement intelligence dealings with TOC exemplify a contemporary multi-centric problem that is being dealt with by state-centric solutions (Harfield, 2008).

To date, intelligence studies research and its theoretical arguments have yet to be fully incorporated—or at the very least compared and contrasted—with law enforcement intelligence in any meaningful sense (Sheptycki, 2009). The increased militarisation and securitisation of law enforcement, as well as its increasingly transnational focus, support the consideration of intelligence studies when studying law enforcement intelligence (Best, 2010).

The epistemological basis for intelligence studies is dominated by the '*national security paradigm*' (Sheptycki, 2009; pp. 166-168). This paradigm has been developed on the assumptions and discourse of international relations realism (Lawson, 2003; 78-82). The paradigm emphasises a focus on conflict and the use of power including military action. This conceptual construct now appears to be at an impasse, where arguments about security in the post-Cold War era remain focused on international relations and distinctions of realist and idealist positions which consider the world dominated by sovereign states (see also Fore, 2008 and Liaropoulous, 2006). Sheptycki argues that law enforcement intelligence operates within a human security axiomatic paradigm and in doing so may offer intelligence studies a fresh perspective for the development of a universal theory (2009, pp. 166-168).

Human security theories argue that intelligence has more strategy options than the application of power and military action (Lawson, 2003; 89-91). This alternative could possibly become increasingly important as non-state and networked threats to national security become increasingly the norm rather than outlier issues (Turbiville, 2005; and Cavelty and Mauer, 2009). This also places an additional emphasis on the need for academic discourse on law enforcement intelligence to include references to its epistemological underpinnings.

For almost 50 years significant effort in intelligence studies has been focused on the development of a universal definition of intelligence and a subsequent all-encompassing theory of intelligence (Kahn, 2009). To date no universally accepted definition or theory has been found. Within intelligence studies the development of a universally accepted definition remains a contentious and widely debated topic (Gill, 2009). The academic discourse and the theoretical positions of its various schools have important impacts on definitional work on intelligence in law enforcement, especially given the rapid changes in law enforcement's operating context.

One of the most divisive areas of the intelligence studies' definitional debate involves the discussion of the inclusion of covert action and collection activities within a working definition (Johnson, 2009). One school of thought has adopted an American military model of intelligence which argues that intelligence can be '*anything from any source*' that aids decision-making (Warner, 2009; pp. 16-17; and Treverton, 2002).

The opposing school of thought argues that intelligence is a secret activity (see also Matey, 2005; Shulsky and Schmitt, 1993; and Lowenthal, 2003). The secrecy perspective has gained wide acceptance as illustrated by the Australian Intelligence Community (AIC) specifically describing intelligence as covertly obtained information (ONA, 2006; p. 3). The secrecy argument is undermined by the intelligence profession's increasing use of open source intelligence (Matey, 2005; Liaropoulous, 2006; and Dupont, 2003). Dupont supports this argument by reporting that within the American Intelligence Community between 70-80 per cent of the data held by intelligence agencies is unclassified open source information (2003). But, more importantly, the secrecy position fails to acknowledge that intelligence collection is a single stage in the intelligence cycle (Hulnick, 2002). There can be little doubt that the right covert intelligence can be integral to good intelligence products, but without assessment it is covertly collected information for which little context is available.

It is important to recognise how the development of intelligence agencies in the United Kingdom (UK), Canada, the United States (US), Australia and New Zealand (NZ) has impacted upon the development of intelligence doctrine and practice (Liaropoulous, 2006). In the UK, Canada, the US, Australia and NZ intelligence agencies have been divided by collection methodologies and function (Hastedt and Skelly, 2009; pp. 112-116). The very concept of intelligence communities is deceptive, as they are more akin to individual stove-piped components of a hierarchical organisational structure (Omand, 2010). The origins of the '*intelligence community*' concept can be found in America's response to intelligence failure following the Japanese attack on Pearl Harbour (Johnson, 2009). This failure lead the then American President to develop a '*bolt on*' solution to the problem of intelligence stove-piping by creating a central intelligence agency to coordinate intelligence activities (Johnson, 2009). The development of an intelligence definition and theory based on the '*intelligence community*' is thus impacted by the development of a structure that has more to do with political responses than optimum outcomes (Omand, 2010).

A secondary polarising debate relates to the potential inclusion of covert intelligence action in any definition or theory (Johnson, 2009). At one end of this continuum intelligence is argued to be both a decision-support mechanism and a policy execution tool (Johnson, 2009). The opposing argument views intelligence as solely a decision-support mechanism (Liaropoulous, 2006). Law enforcement's increasing use of undercover operations primarily as an evidentiary and disruption activity decrease the relevance of this issue to law enforcement.

The selection of research methodologies for the study of intelligence has been dominated by a small number of specific schools of thought (Johnson, 2009). It has been suggested that until the end of the Cold War intelligence studies were divided between two schools of thought (Farson, 1989). The American tradition focused on studies which examined the conceptual and organisational issues of national security intelligence (Matey, 2005). The studies themselves were limited by a range of issues including the absence of publicly available information. The American tradition has been enriched since 9/11 by the US' and UK's more open approach to intelligence and intelligence failures. In comparison, the European school has focused on historical studies (Johnson, 2009). This approach has used case studies from World War Two in its research. In both cases the approaches have been deeply rooted in exploring intelligence in the past rather than present tense. These studies have ignored the rapid changes which have occurred to the nature and scope of intelligence work.

Post-Cold War intelligence studies have seen the arrival of two new schools of thought: intelligence failure and strategic surprise (Cavelty and Mauer, 2009; Davis, 2003a; and Matey, 2005). Since the 9/11 attacks a plethora of academic studies of intelligence failure have been undertaken (see also Cavelty and Mauer, 2009; Davis, 2003a; and Matey, 2005). These studies have been further supported by the declassification of a range of primary research material relating to the Cold War (Laqueur, 2009). In each case the findings appear to be similar in that they focus on the issues of intelligence silos, lack of imagination, poor contextual understanding and the over-use of dated, historically-based pattern analysis (Cavelty and Mauer, 2009; and Laqueur, 2009). Analysis and research of past events more often than not fails to declare the bias that hindsight creates for researchers (Holland, 2007). For law enforcement the study of intelligence failures is much more difficult given the limited available information. In the Australian context many of the most public intelligence failures of law enforcement appear to be related to investigations rather than complex strategic issues (see also Dean and Gottschalk, 2007).

Intersecting with the increased examination of intelligence failure is the increased study of strategic surprise (Davis, 2003a). Rather than examining events as failures, this school explores the causes and impacts of strategic surprise. Through this approach the issue of client relationships and communication are included in the scope of study (Wirtz, 2009; and Laqueur, 2009). This body of research focuses on developing the capacity of intelligence to anticipate future risks and threats in a generic sense rather than in a precise predicative manner (Davis, 2003a).

The aim of the anticipative approach is to assist decision- and policy-makers in preparing strategies for risk mitigation (Davis, 2003a). Davis argues that the objective of this type of intelligence support is concerned with minimising the damage of potential threats in an environment where specific predictions are limited due to environmental complexity (2002 and 2003a). An anticipatory approach is not an exercise in worst case scenario analysis; rather it deals with achieving a balance between evidence and prediction (Davis, 2003a). This approach has significant benefits for law enforcement intelligence given the challenges of predicting specific criminal events (Solberg, 2008). The anticipatory approach would allow law enforcement intelligence to generate products that reduce strategic surprise by supporting decision-makers in preparing future capabilities and strategy development.

Research into intelligence failures and strategic surprise has highlighted problems associated with the relationships and communication between intelligence and policy staff as well as decision-makers (Davis, 2003b). With the plethora of raw data, academic papers and open source media available to decision-makers and policy staff they are increasingly undertaking their own research and analysis (Davis, 2003b). Often this research is undertaken in a biased manner, where decision-makers and policy staff prefer research that supports their own preconceived ideas. In this scenario the intelligence client has also become a competitor who is only further supported in their approach when intelligence fails to deliver innovative and convincing products. Davis (2007) specifically argues that intelligence professionals are experiencing increasing pressure to provide tailored reports that are consistent with clients' analysis and preconceived ideas.

In the analysis of intelligence failures, such as 9/11, there is often discussion of the relationship between the decision-maker and intelligence being too distant (Davis, 2003b). Analysis of the Iraq's Weapons of Mass Destruction intelligence failure raises the issue of too close a relationship between the two (Omand, 2010). It would appear that the issue is a paradox, where the closer the relationship between policy and intelligence the greater likelihood of clear communication and better support; however, at the same time as this relationship gets closer there are forces that promote intelligence–policy product harmonisation (Davis, 2003b).

Johnson (2009; pp. 33-51) provides a body of literature with a particularly innovative approach to developing a strategic intelligence theory. This approach involves developing a range of propositions through the exploration of strategic intelligence with a particular focus on historical analysis using the intelligence cycle as an organising framework. The approach uses the development of propositions and the identification of paradoxes to set the scope of the theoretical framework that an intelligence theory must encompass to be successful. It could be argued that the historical approach may not sufficiently deal with the changing security context of threats in the 21st century. This critique aside, the approach successfully explores the possible issues that a theory must encompass and furthers the discourse on intelligence theory by focusing on the outputs of the intelligence process (Johnson, 2009).

Intelligence studies offer a variety of insights and considerations for the study of law enforcement intelligence. It is important for the researcher not to place national security intelligence in an idealistic position during the exploratory process. Intelligence studies afford the law enforcement intelligence researcher a view of a range of lessons learnt relating to the intelligence–decision-maker relationship, and the impact of structural organisational issues. Just as importantly, the reviewed literature highlights the potential for law enforcement intelligence to add to the body of knowledge of national security intelligence through an alternative axiomatic paradigm to the international relations perspective.

The complexity of the evolving national security operating context will likely impact upon law enforcement intelligence, especially as law enforcement becomes increasingly transnational in nature. By default, law enforcement could see a slow evolution where it is further ensconced in securitisation and international relations. Law enforcement's relatively late adoption of intelligence affords it the benefit, at least at the theoretical level, of avoiding many of the intelligence studies' dominant theoretical dissonance.

2.4 Historical Background of Intelligence in Law Enforcement

A review of early literature relating to intelligence-led policing (ILP) can easily lead to a belief that intelligence is a relatively new concept in law enforcement (see also Christopher, 2004; Grieve 2004; and Ratcliffe, 2008a). In contrast to the assumptions of Ratcliffe's early work (2002, 2003, 2004a, and 2004b), policing has always been intrinsically linked with information collection and analysis (see also Chen et al, 2002; and Walsh, 2001: pp. 347-350). Intelligence as an organisational capability has been operating in many law enforcement agencies in the United States (US), Canada, the UK and Australia since well before the evolution of ILP methodologies (see also Moore and Stephens, 1991; Peak and Glensor, 1999; Goldstein, 1990; Kelling and Coles, 1996; Sheptycki, 2009 and Walsh, 2001; pp. 347-350). The need for intelligence—information that has been analysed to provide context—has been identified as a core component of most of the policing methodologies that have evolved over the last 20 years (Ratcliffe, 2008a; pp. 15-40).

Ratcliffe's work has played an important role in generating interest, in academia and law enforcement, in the role and coordination of intelligence. By analysing the literature relating to intelligence in law enforcement three key phases in its development can be identified (see also Ratcliffe, 2008a, 2008b and 2008c; Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009). Initial ILP research focused on identifying the benefits of intelligence in tactical environs (Ratcliffe, 2002, 2003, 2004a, and 2004b). This phase focused on studying the application of intelligence '*tools*' to solve analytical problems such as human source information collection, geographical information systems and link analysis (Maguire and Tim, 1995: p. 58). Much of the earlier work of this period focused on identifying the tactical benefits of ILP using street policing case studies (see also Moore and Stephens, 1991; Peak and Glensor, 1999; Goldstein, 1990; Kelling and Coles, 1996; Walsh, 2001: pp. 347-350, Ratcliffe, 2002, 2003, 2004a, and 2004b).

The second phase of this research involved efforts by researchers to describe intelligence as a new, or on occasion hybrid, police management methodology (Ratcliffe, 2008a; Ratcliffe and Guidetti, 2007; Guidetti, 2006; and Wardlaw and Boughton, 2006). Maguire (1999) provides explanations of why the dynamic change from traditional law enforcement activities to ILP occurred. Maguire (1999; p. 316) argues that this change was made possible by a major paradigm shift in social control associated with a move towards risk management. Beyond this paradigm shift was the emergence of a police performance and operating context where crime in the 1980s was rapidly increasing whilst detection was rapidly declining (Ball, 2007). The very nature of law enforcement's operating environment was changing, while law enforcement was being called to account for its expenditures (Deukmedjian and Lint, 2007). Intelligence was rapidly adopted by law enforcement leaders who were attempting to move their organisations from response work to managing risks and targets (Weisburd and Eck, 2004).

During this second stage of development a number of researchers, Ratcliff being the most prolific, argued for a shift in focus of intelligence capabilities in law enforcement from decision-supporting to decision-making (Ratcliffe, 2008b). Ratcliffe's later works can be used to track a change in approach to intelligence in law enforcement from an organisational capability to a decision/strategy setting methodology. These later works have been the foundation stone for numerous practical changes in law enforcement intelligence capabilities in Canada, the US, the UK and, to some extent, Australia (see also Ratcliffe, 2008a, 2008b and 2008c; Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009).

Ratcliffe argues (2008a), through his 3-I Model, that the outcome of the criminal intelligence process is action or decision. This approach appears to be in sharp contrast to previously published contemporary intelligence studies' principles (see also Cavelty and Mauer, 2009, Davis, 2009, Dupont, 2003 and Fingar 2011). Kahn (2009; p.5) specifically proposes that intelligence influence on decision-making is indirect as ultimately intelligence staff are not primary decision-makers.

The post-9/11 period has seen the amalgamation of law enforcement and national security in Western liberal democracies which has encouraged law enforcement's rapid acceptance of ILP (Carter and Carter, 2009; and Deukmedjian and Lint, 2007). The rapid adoption of counter-terrorism (CT) measures and the initial ground swell of security concerns encouraged law enforcement to adopt ILP concepts as a means of proving their commitment to domestic security (McGarrell, Freilich and Chermak, 2007). The adoption of ILP terminology and expansion of law enforcement intelligence occurred without universally accepted law enforcement intelligence definitions and theories (Carter and Carter, 2009; and McGarrell, Freilich and Chermak, 2007). Best (2010) argues that this post-9/11 period has resulted in the securitisation and militarisation of law enforcement in the West. As a result, the line that had once separated national security and law enforcement was greyed (Best, 2010). These changes occurred without evidence that a national security-focused law enforcement response would be more effective than the existing arrangements.

The third phase of intelligence development has seen the linkage of intelligence with management concepts and fields such as knowledge management (KM) (Ratcliffe, 2008c; Fasihuddin and Dean, 2009; and Gottschalk, 2008). Dean and Gottschalk (2007) strongly argue that intelligence—as a process, capability and output—is a subset of the KM process. Although others have contributed to this discourse their work often considers the issue from a technical perspective by overly focusing on information technology (IT) solutions (Dean and Gottschalk, 2007). In making this link, many researchers ignore the inductive nature of intelligence processes and outcomes by relegating intelligence to a collation or information management methodology (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar, 2011). Furthermore, the literature often appears unable to differentiate between police, KM and intelligence processes (Fasihuddin and Dean, 2009).

2.5 Strategic Intelligence in Law Enforcement

Intelligence studies research continues to explore the axiomatic international relations theories that underpin national security intelligence doctrine and practice. Comparatively, law enforcement intelligence research has not previously explored the impact that policing's human security paradigm has on criminal intelligence practice (Sheptycki, 2009). Law enforcement intelligence research appears to have fixed upon debates on definitions which have prevented further epistemological exploration.

In law enforcement there are two main schools of thought on intelligence alignment. Alignment refers to the framework that guides the relationship between intelligence products or outcomes and the decision-maker. Ratcliffe's (2008b and 2008c) more recent work highlights the need for intelligence in law enforcement to transgress the theoretical limits set out for this relationship in national security and military intelligence. Ratcliffe (2008a, 2008b and 2008c) argues that the intelligence analytical process can be used as a decision-making and strategy setting methodology in its own right.

In ILP, Ratcliffe (2008a, 2008b and 2008c) advocates an alternate intelligence model for law enforcement whereby its end state is focused on action, or the placement of intelligence processes as a de-facto law enforcement decision-making model. Ratcliffe's work (2008 and 2008a) regards the analytical process as the most significant input into decision-making, but in doing so ignores a range of other influencing factors. This position has been supported by a number of researchers who have conducted case studies and historical analysis (see also Kirby and McPherson, 2004; and Howlett, 2009).

Ratcliffe's (2008a, 2008b and 2008c) focus on developing intelligence as a management model appears to be predicated on law enforcement's recent adoption of strategic decision-making (Ratcliffe and Guidetti, 2007). Prior to the 1990s law enforcement in the UK, Australia, Canada and NZ was firmly focused on response policing. Intelligence as such was primarily focused on supporting investigators to achieve successful prosecutions. With the evolution of proactive and strategic law enforcement approaches executive decision-makers find themselves with limited organisational knowledge and experience in strategy setting (Deukmedjian and Lint, 2007). In adopting this approach Ratcliffe focuses on the way things should be in law enforcement, but in doing so ignores many of the practicalities of the systems and cultures that are already in place. This is evidenced by Ratcliffe's (2008a, 2008b and 2008c) examination of the tensions between police and intelligence staff which focuses primarily on police understanding intelligence but not the reverse.

Although not directly stated, Ratcliffe's work (2008a, 2008b and 2008c) fails to identify any linkage with the fields of law enforcement policy and strategy development. Dean and Gottschalk (2007: pp.40-43) highlight the dangers of approaches to information which fail to identify and deal with intersecting tension spaces. In their work Dean and Gottschalk (2007) provide a number of case studies of operational decisions that have been made without reference to the holistic picture, which lead to beneficial tactical and operational outcomes but organisational disasters.

Ratcliffe's (2005, 2008a, 2008b and 2008c) conceptual construction of ILP has been predicated on proactive policing targeting repeat offenders and volume crime using a variety of pattern analysis tools. Ratcliffe's work focuses on enforcement rather than engaging with crime prevention. Verfaillie and Beken (2008) use historical analysis and scenario studies to highlight that alignment between intelligence and other stakeholders can be achieved through the application of scenario generation tools in analysis. They argue that the alignment and integration of decision-support inputs can result in more beneficial strategic, operational and tactical outcomes for law enforcement.

Viaene et al. (2009) take these observations even further by arguing that intelligence must be aligned with the whole business rather than just decision-makers. Viaene et al. (2009) argue that intelligence must continuously interact with stakeholders to ensure that its outputs are timely and accurate. These researchers highlight that the alignment of intelligence must involve connections that extend beyond traditional operational police, intelligence and command inputs. Dupont and Brodeur (2006) take this a step further by declaring that contemporary law enforcement is a networked activity involving a range of stakeholders across the private and public sectors. In this framework law enforcement intelligence is a major coordinating node in the development of information sharing networks that jointly manage human security risk.

Pitt's (2008) case study of crime gangs highlights the benefits of holistic responses that are planned at a strategic level. It also highlights the benefit of strategies that are generated using networked approaches to collect and analyse information and of setting and implementing strategies. A number of researchers have highlighted the importance of a networked law enforcement intelligence capability that engages with a range of stakeholders in developing intelligence products and police strategies (Best, 2010; Carter and Carter, 2009; Dupont, 2003; Gill, 2006; and Hoogenboom, 2006). Ratcliffe's (2005) definitional work on ILP places a singular focus on recidivist offenders through covert collection means. This approach ignores the aim of intelligence, which is to assist decision-makers in developing an overall strategy for law enforcement agencies (Kirby and McPherson, 2004).

One particular school of thought on intelligence alignment in law enforcement has sought to establish links between intelligence processes and KM theory. The consistency of the research findings has varied considerably. Dean and Gottschalk (2007) and Collier (2006) have sought to link intelligence with the non-technical KM solutions. In comparison, Kirby and McPherson (2004) and Howlett (2009) have sought to restrict the intelligence process to an information collation service that provides outcomes such as consistency, ownership and accountability.

A review of the literature indicates that there is a great deal of confusion over the difference between intelligence products, analytical tools, and police operational reporting and knowledge products (see also Vellani, 2007; Verfaillie and Beken, 2008; Weisburd and Eck, 2004; Pythian, 2006; and Rogers, 2009). The most systemic problem involves the description of analytical tools as intelligence products and analysis (Ratcliffe, 2008a, 2008b and 2008c). Mapping crime on a geospatial mapping system can be argued to be an analytical, KM or investigative tool. If the intelligence cycle is used as a model of the intelligence process these types of analytical tools involve collation but little to no analysis.

Cope (2004) argues that crime analysis, link analysis diagrams and geospatial mapping are a form of information presentation rather than intelligence or analysis. Analytical tools and analytical support products, such as geographic crime maps, can have utility for law enforcement, but they encourage subsequent analysis by police and policy officers rather than analysts (Cope, 2004). The confusion over what intelligence is, and is not, complicates and undermines the arguments for ILP. This confusion is of little surprise given the rapid adoption of ILP without sufficient universal definitions and theories.

Ball (2007) attributes the cause of law enforcement intelligence definitional issues to the English, Australian and Canadian blending of crime and intelligence analysis. Within American law enforcement agencies the role of crime analysis has remained separate from intelligence analysis. Ball (2007) differentiates the two using a time-focused paradigm, positing that crime analysis deals with the past and intelligence is focused on future threats and risks. Intelligence professionals, like police, are clients of crime analysis in this framework. Crime analysis can be used to generate intelligence when it is collated and analysed in the context of other all-source information (Cope, 2004).

Much of the contemporary literature relating to intelligence processes in law enforcement is focused on its application at the tactical/investigation level (Vellani, 2007; Verfaillie and Beken, 2008; Weisburd and Eck, 2004; Pythian, 2006; and Rogers, 2009). This is linked to the ability of tactical or operational case studies to identify the value-add of intelligence in law enforcement in less complex contexts. The reviewed literature's focus on tactical and operational case studies has left a gap in the exploration of strategic intelligence in law enforcement (Carter and Carter, 2009). The literature that has focused on strategic intelligence has dwelled on examining the organisation of law enforcement intelligence, with a specific focus on and the comparisons between the UK's National Intelligence Model and the American National Criminal Intelligence Sharing Plan (see also Rogers, 2009; Grieve, 2004; and Carter and Carter, 2009).

Since the 9/11 attacks much criticism and pressure has been placed on intelligence to be more '*imaginative*' in the prediction of future events (Kahn, 2009: p.5). The argument for greater prediction in strategic intelligence in national security and law enforcement can be linked with a trend in risk shifting (Warner, 2009: pp. 16-18).

Whilst the intelligence studies field has engaged with discussions on the nature of strategic surprise and the need for strategic warning, law enforcement has not (Davis 2003a and 2003c, and Solberg, 2008). Carter and Carter (2009) argue that law enforcement expectations that strategic intelligence can identify specific times and places of future crime with any degree of accuracy are inherently unrealistic. This expectation is idealist in nature and ignores the value of intelligence products that provide context to and warning of trends and issues, which will in turn support decision-makers to develop longer-term planning rather than enforcement activities (Carter and Carter, 2009). Pythian (2006) adds that this approach to strategic intelligence will allow law enforcement to make strategic decisions about the development of their organisations that will prepare them for future demands based on risk.

The works of Quarmby (2009), Williams and Godson (2002), and Levi and Maguire (2004) all argue strongly that the complexity of law enforcement's strategic intelligence operating environment makes accurate prediction of crime extremely difficult if not impossible. Intelligence studies' luminaries such as Johnson (2009) and Kahn (2009), and Levi and Maguire (2004) argue that anticipatory reports are not a play on words but a significant change in thinking about '*futures work*'. In applying this school of thought, focus is placed on developing hypotheses and intelligence that prevent the policy and law enforcement scramble that is associated with sudden changes in criminal trends.

Throughout the literature there are indications of constant conflict between operational police and intelligence professionals. Ratcliffe (2008b: p. 98) attributes this conflict to the absence of an organisational history, like that in the military, of decision-making being made by intelligence. However, Warner's (2009: pp. 20-29) examination of military intelligence discounts this theory through historical analysis which indicates that military intelligence is a supporting service with decision-making still strongly the responsibility of command. Cope (2004) argues that tension is the result of perceptions by both police and intelligence staff that both don't have sufficient understanding of the other.

Aldrich (2009), Gibson (2009) and Quarmby (2009) argue that the problems with the intelligence–policing relationship occur at a far more fundamental level. Each argues, without reference to the other, that problems arise from the nature of each profession's use of logic. In the case of police, the profession has established its application of problem solving on deductive logic, whilst in comparison the intelligence profession is focused firmly on the use of inductive logic. If correct, this may indicate why in so many cases ILP has not been able to become anything more than rhetoric (see also Ratcliffe, 2002; and Ratcliffe and Guidetti, 2007). This fractious relationship is similar to that which is observed between intelligence and policy in intelligence studies (Davis, 2007).

Schneider and Hurst (2008) report that the tension between police and intelligence staff impacts upon information sharing. More specifically the tensions impact on the capacity to undertake integrated analysis and ultimately affect the ability of law enforcement agencies to develop innovative proactive strategies. In exploring the causes of these relationship problems police tribalism and culture were identified (Schneider and Hurst, 2008). The relationship tensions are another example of the impact of the absence of a substantive definition of intelligence.

The debate about the inclusion of covert collection, crime analysis and information collation in intelligence definitions prevents a clear understanding of intelligence being developed in law enforcement. In law enforcement covert policing functions (human source and undercover operations) are predominately undertaken for operational policing reasons as opposed to intelligence gathering. Prunckun's (1996) early linking of law enforcement intelligence and social research further amplifies the limited understanding in the literature of the requirement of intelligence to make informed assessment about potential futures with incomplete data (see also Vellani, 2007; Verfaillie and Beken, 2008; Weisburd and Eck, 2004; Pythian, 2006; and Rogers, 2009). In making assessments of future trends or events, analysts would often need to wait until the events had occurred to ensure there was sufficient evidence to pass either the '*beyond a reasonable doubt*' test or empirical social research thresholds.

Law enforcement agencies struggles to develop meaningful performance measures to evidence efficient and effective outcomes on crime (Talaga and Tucci, 2008). Existing quantitative performance measures have been established upon the old policing paradigm of response policing and enforcement activity (Maguire and Tim, 2006; and Collier, Edwards, and Shaw, 2004). Often effective crime prevention and disruption either have a neutral or negative impact upon organisational performance measurements for law enforcement organisations (Talaga and Tucci, 2008). This problem is even more pronounced for strategic law enforcement intelligence which is often unable to track outcomes related to specific police activity recorded by traditional law enforcement performance measures. Not surprisingly there is a gap in the literature dealing with performance measurement of intelligence in law enforcement.

2.6 Transnational Crime and Intelligence

In 1969 Cressey formulated the hierarchical model of organised crime (OC) that has, until recently, dominated TOC literature. Almost from its publication Cressey's model was criticised for defining OC in a far too simplistic manner that ignored the evidence that it was a much more networked activity (Edwards and Levi, 2008). Most researchers now agree that the problem of TOC is much more complex than the Cressy model indicates (see also Gibson, 2009; Vassalo and Case, 1996; Cockayne and William, 2009; and Davis, 2007).

There is increasing agreement in academic and professional circles that TOC has a networked structure (Edwards and Levi, 2008; ACC, 2008d; and SOCA, 2008a). Furthermore TOC is considered to be entrepreneurial in nature, moving quickly to take advantage of opportunities and avoid unnecessary risks (see also Edwards and Levi, 2008; ACC, 2008d; SOCA, 2008a; and UNODC, 2010). TOC is also reportedly prone to a greying of the line between legitimate and illicit economies as a means of deception and profit maximisation (Klerks, 2007).

The dynamic business model and organisational theory for TOC further complicates law enforcement attempts to develop proactive strategies to detect, disrupt, prevent and investigate TOC entities. In this context TOC business models and their inherent flexibility afford them the opportunity to rapidly identify risks and opportunities for exploitation. The TOC decision-making process is supported by a plethora of open source information including information on police strategies and operations. The TOC model allows for the rapid purchase and employment of new technology at a rate that far exceeds that of law enforcement. TOC networks are then able to rapidly change operations or activities and take immediate action when an opportunity or unacceptable risk arises (Klerks, 2007).

In assessing the complexity of TOC and law enforcement responses, Gibson (2009) argues that police have three roles: producing threat assessments, acting as global police and raising police capability worldwide. Gibson (2009) also argues that within these three roles the quantitative approach undertaken to produce strategic threat assessments is inherently inaccurate and of little use in devising strategies and making decisions. Gibson's (2009) work ignores the evolving role of law enforcement professionals as knowledge worker and risk manager (Maguire and Tim, 1995 and 2006).

The inherent inaccuracy of strategic intelligence assessments of TOC is related to a range of issues. Sheptycki (2009) posits that assessments by law enforcement are neither comprehensive nor accurate as a result of a tendency for them to focus on what is already known. Thus analytical work starts and finishes with analysis of police indices and databases on previously recorded and investigated criminal activity (Ratcliffe, 2008a, 2008b and 2008c). Law enforcement tends therefore to focus on the elements of recorded crime and evidence in comparison to examining a range of sources to estimate what is not known. This approach is likely to be associated with the law enforcement culture of '*evidence-based intelligence*' assessments (Ratcliffe, 2008a, 2008b and 2008c).

The second cause of the inherent inaccuracy of threat assessments relates to the politicisation of the TOC issue and law enforcement's responses (Innes, 2006). At the highest levels of the Australian, NZ, UK, US and Canadian governments TOC has been publicly declared a national security threat. As a result, a number of '*task force*' and '*structural arrangements*' have been made that add additional organisational complexity to law enforcement responses to TOC (Schneider and Hurst, 2008; and Monahan and Palmer, 2009). These arrangements have seen the development of new organisations designed to fuse intelligence from a range of stakeholders. For the most part these arrangements have

done little other than add an additional layer of complexity to an already complex problem (Gibson, 2009).

Goldberg (2007) and Gimber (2007) argue that intelligence does not produce any results at the strategic level. Goldberg's (2007) case study of the methamphetamine market in San Diego illustrates that a multifaceted approach that targets a problem using policy staff can be effective. Gimber (2007) argues that the reduction of crime in America post-1990 is related to factors other than changes in policing strategies. Drake and Simpson (2001) take this analysis one step further by advocating a cost benefit model for allocating police resources which targets crime at the local level. However, in doing so Drake and Simpson (2001) ignore the hidden crime that is often not accounted for in formal reporting processes and relegate policing to a reactive approach.

Williams and Godson's (2002) work indicates that a multifaceted approach to TOC has merit if it is supported by strategic intelligence that is anticipative, rather than predictive, in nature. This research indicates that if TOC behaviour is studied and the environmental factors that allow them to flourish understood this knowledge can be used to inform proactive strategies that prevent, detect and mitigate TOC activity. Schneider and Hurst (2008) support this research by describing the need for integrated responses that are established on shared intelligence.

The challenge for strategic intelligence is firstly how to create assessments that capture risks and opportunities from a TOC perspective. Secondly is how to identify factors that can disrupt or prevent TOC opportunities. The aim of such assessments is to support law enforcement to develop proactive strategies that restrict criminal opportunities and close the time lag between TOC's and law enforcement's decisions and strategy implementation (Sheptycki, 2009).

TOC literature challenges claims about the effectiveness of ILP theory and its underlying epistemology (see also Ratcliffe, 2008a). At the epistemological level, ILP focuses analysing the '*criminal environment*' and recidivous offenders which in many respects echoes the national security paradigm by reducing intelligence to a player in a power struggle between non-state actors and law enforcement. ILP does not focus on the wider possibilities of the human security paradigm, where a range of strategy initiatives are possible: detection, disruption, prevention and investigation. The focus on recidivous offenders in this context is likely to result in a '*rounding up of the usual suspects*' rather than any truly proactive strategy. Finally, ILP's focus on analysis of the criminal environment does not permit law enforcement decision-makers the opportunity to consider the wider environment in which criminal enterprises operate.

Verfaillie and Beken (2008) argue that TOC requires law enforcement intelligence to be more strategic by moving from a targeting to detecting approach, which identifies opportunities and weaknesses from the criminal perspective. This approach would go some way to address many of the criticisms of law enforcement's strategic intelligence

preoccupation with providing assessments that are historically-focused (Innes, 2006). More specifically this approach would allow, and encourage, strategic intelligence to look beyond police databases to provide assessments on what is not yet known (Innes, 2006; and Sheptycki 2009).

In 2010 the United Nations Office of Drug Control (UNODC) argued that law enforcement's focus on groups instead of markets was limiting its capacity to proactively deal with TOC. In contrast to ILP the UNODC report (2010) argued that the limited availability of data on groups was inhibiting the development of effective strategies. Gill (2006) argues that concerted law enforcement intelligence focused on markets (which encompass a wider array of data sources) will result in data that will permit imaginative entrepreneurial responses to TOC. To be effective this approach must also include holistic responses that utilise networked law enforcement partners and stakeholders from outside of the law enforcement community (Gill, 2006). Gill (2006) adds that this would only be possible if law enforcement moves away from a purely enforcement strategy to encompass what has been labelled the '*human security paradigm*'.

2.7 Principle Questions being Asked

The principle questions being asked in the contemporary research are:

- What is the role of intelligence? and
- How should it be aligned within and external to the organisation?

The rapid adoption of ILP, without universally accepted definitions or theories, has resulted in a vast array of interpretations of what role intelligence should perform in law enforcement. As highlighted by Laqueur (2009), intelligence has a range of uses within any organisation, but it also has limitations; both need to be understood by strategic decision-makers. The level of conflict and resistance to intelligence in law enforcement is indicative of a capability that is yet to clearly define its role and how to integrate its outcomes into law enforcement organisations, without duplicating work that is already undertaken.

The other question identified through the review relates to how strategic intelligence can provide outputs for senior leaders that anticipate risks and opportunities in sufficient time in order that they can be exploited. The almost wholesale adoption of ILP as a management methodology could be equated to the '*eggs in one basket*' metaphor. Intelligence is an effective support mechanism which is able to provide context to decision-making, but ultimately law enforcement decisions with regards to policing involve a diverse range of decision-support information (Dean and Gottschalk, 2007). Law enforcement intelligence is faced with the problem of trying to develop products and services to meet heightened client expectations.

Some elements of the challenges faced by law enforcement intelligence can also be found in national security intelligence; however, intelligence studies' theories are not the panacea for these issues as they are also struggling to find substantive answers to these challenges.

As a result the solutions to these issues are not likely to be found in intelligence studies but in the conduct of research of client expectations and through detailed, law enforcement context-specific problem definition.

The value of operational and tactical intelligence in law enforcement appears to have been well defined in the literature. In comparison, the role of strategic intelligence remains less certain. The literature review indicates that law enforcement as a profession continues to desire a move to a more strategic and planned approach to achieving objectives. As this approach develops it is likely that its strategic intelligence requirements will also evolve and change. Part of the process of developing the field of strategic intelligence in law enforcement involves exploring what the role of strategic intelligence is, what its clients want in general and, just as importantly, what they do not want. These needs are particularly evident in the development of law enforcement strategies for dealing with TOC.

2.8 Conclusion

From reviewing the literature it is clear that a great deal of coverage of law enforcement intelligence has been focused on the management concept of ILP. As a result, little recent research has focused on the application of intelligence in law enforcement, separate from the management of tactical and operational decision-making. Furthermore, the research has had a tendency to ignore the intrinsic differences and similarities between intelligence studies and law enforcement intelligence. In doing so it would appear that the opportunity to discuss the theoretical development of a widened intelligence genus has thus far been missed. This omission has prevented the exploration of the uniqueness of law enforcement intelligence and its human security focus. At the same time the extant approaches have not considered the similarities between the two fields in relation to strategic surprise and client relationships.

This literature review highlights the absence of detailed research on law enforcement strategic intelligence. As such, there is little theory on how to improve or enhance strategic intelligence outcomes. TOC provides an excellent location to explore strategic intelligence given its complex nature and interaction with national and transnational policing. As a direct result the study of strategic intelligence, focusing on TOC, provides an excellent case study and focal point for theory development.

Whilst there is consensus in the literature that TOC provides law enforcement with a complex problem that exceeds their traditional decision-making processes there is no clear exploration of how these needs will be met by strategic intelligence. If law enforcement is to improve its outcomes against TOC what is clear from the review is that a multifaceted approach, involving traditional justice responses aligned with a strategic response, is needed. If this is to occur then law enforcement leaders need more imaginative strategic intelligence products than the extant quantitative intelligence assessments—especially if they are to develop an entrepreneurial response to TOC. This research endeavours to address this knowledge gap by exploring how the performance of strategic TOC intelligence can be enhanced.

Chapter 3
Methods

3.1 Introduction

The previous chapters have highlighted how intelligence in law enforcement has experienced a period of rapid growth during the last 20 years. During this time intelligence-led policing (ILP) has become part of the everyday terminology used by law enforcement agencies in Australia, the United Kingdom (UK), the United States of America (USA), Canada and New Zealand (NZ) to describe their management strategies. However, there has been little research or information published on how strategic intelligence is developed, implemented and utilised by organisations in these countries. Instead, research has focused on tactical applications of intelligence in law enforcement within the context of the ILP approach.

Chapter Three outlines the design and conduct of this program of research informed by the interpretivist theoretical perspective. The chapter discusses the theoretical foundation for the selection of the research methodology. It also outlines the specific research methods that have been utilised to answer the primary research question and its supporting sub-questions (see Figure 3.1). Finally, the chapter records how the research process was undertaken.

Table 3.1 — Primary Research Question and Supporting Sub-questions

Primary Research Question	
'*How can strategic intelligence be used to support law enforcement executive decision-makers in preventing, detecting, disrupting, and investigating transnational organised crime'*.	
Sub-question 1	*How is strategic intelligence currently supporting decision-makers in preventing, detecting, disrupting and investigating transnational organised crime (TOC)?*
Sub-question 2	*How effective are these approaches in supporting law enforcement decision-makers in preventing, detecting, disrupting and investigating TOC?*
Sub-question 3	*How do law enforcement strategic intelligence approaches compare with contemporary intelligence model theories?*
Sub-question 4	*What is the difference between strategic intelligence, policy and police inputs to decision-support?*
Sub-question 5	*What organisational, cultural, methodological and theoretical factors inhibit the effectiveness of strategic intelligence in law enforcement?*
Sub-question 6	*How can strategic intelligence (as an organisational capability) provide stakeholders with more client-focused products that provide strategic warning and decision-*

	support?

The research took an explorative approach, using case studies that permitted the development of two new conceptual frameworks. The complexity of the variables involved and the selected exploratory approach necessitated the use of multiple data collection methods, incorporating a multi-disciplinary theoretical framework. This framework allowed the use of inductive reasoning in theory development. It also highlighted the need to undertake a comparative approach that utilised historical and archival research, case study analysis and the application of triangulation, given their capacity to provide a better understanding of strategic intelligence in law enforcement.

3.2 Research Design

The epistemological position that this research has adopted is constructionism. This position is based on the argument that there is no objective truth; meaning is created from an interaction between the phenomenon/object and thought. In this approach different people construct meaning in different ways. The selection of constructionism impacts on both the research and the generation of the primary and sub-research question. Of particular note, the primary question's focus on enhancement must be linked to a particular individual or group to ensure that at least some common understanding of its meaning can be developed. Constructionism remains the epistemological position of choice for qualitative researchers (Crotty, 1998; pp. 8-9 and Richards, 2005).

In the process of selecting a theoretical perspective the researcher considered the three most commonly used theoretical perspectives: positivism, interpretivism and critical realism. The interpretivist theoretical perspective was selected for this research because it was the perspective that would provide the most meaningful results for the research question. The interpretive approach argues that people make meaning as they interpret their world (Williamson, Burstein and McKemmish, 2002; p. 25). This approach applies inductive reasoning, beginning with particular instances which are observed, and then constructs general statements.

This interpretive approach commonly uses qualitative approaches such as case studies and historical research. Previous research in the areas of intelligence and strategic intelligence has utilised qualitative methods (Ratcliffe, 2008a). This can be attributed to a range of reasons including restricted access to sensitive and nationally classified data. In addition, some research has indicated that intelligence does not lend itself to quantitative performance measurement and by default quantitative research (Hawley, 2008).

Due to the lack of research in strategic intelligence and law enforcement, this project utilised an explorative approach. This approach permitted the development of new conceptual frameworks, rather than the testing of existing theory. Existing theories relating to intelligence processes, police management and knowledge management (KM) were used

throughout the research process to inform inductive concept development. As a result of these decisions a qualitative methodology was used throughout the research process.

The complexity of the variables involved and the selected exploratory approach necessitated the use of multiple data collection methods. The complexities and the limited empirical research in the field indicated the need for the research design to incorporate a multi-disciplinary theoretical framework. This framework allowed the use of inductive reasoning in theory development. It also highlighted the need to undertake a comparative approach that utilised historical and archival research, case study analysis and the application of triangulation given its capacity to provide a better understanding of strategic intelligence, transnational organised crime (TOC) and their interactions. Triangulation in this case study refers to the collection of data from multiple and different sources—document and content analysis, qualitative semi-structured interviews and discourse analysis—to cross-check and corroborate evidence to support the development of new theory.

Due to the limited understanding of strategic intelligence in law enforcement a case study on a law enforcement group or organisation appeared to be the most appropriate strategy. The goal of the case study was to obtain a comprehensive understanding of strategic intelligence within a single given context through explorative methodologies. This case study involved the detailed analysis of the role and interactions of strategic intelligence within a single, national-level (high-policing) law enforcement organisation. The aim of this approach was to use a variety of data collection methods to observe and reflect in order to find meaning and new conceptual frameworks.

These guiding factors reinforced the importance of selecting a case study that was rich in complexity, allowed triangulation of evidence and enabled previous research to guide the data collection and analysis. Triangulation was also used within the qualitative semi-structured interviews through the purposive sampling of additional participants.

All of these factors supported the selection of the Australian Federal Police (AFP) as the subject of the case study. This case study utilised three separate methods: document and content analysis, qualitative semi-structured interviews and discourse analysis. A comprehensive analysis and review of AFP intelligence doctrine and policy was undertaken. This was followed by semi-structured qualitative interviews utilising a purposive sampling model. Discourse analysis was used throughout the case study to develop further understanding of the written and spoken language in context (Krippendorff, 2004). The multiple methods allowed the collection of a greater quantity and quality of data which permitted the researcher to gain a better understanding of the complexity of strategic intelligence for the development of new conceptual constructs. Secondly, the approach allowed for the triangulation of research findings. The multiple research methods collected a variety of data that often provided conflicting or alternative perspectives and in doing so revealed further complexity.

3.3 Research Plan and Methods

The aim of the research plan was to provide a logical sequence for the conduct of each stage. In establishing the sequence the research plan needed to be consistent with the research design, including the theoretical perspective and methodology.

The research was undertaken in six stages:

- Stage One—Review of literature.
- Stage Two—Placing the AFP's strategic intelligence responses to TOC in a wider law enforcement context.
- Stage Three—Review of the AFP's existing strategic intelligence and policy development doctrine and policy.
- Stage Four—Conduct of case study qualitative interviews.
- Stage Five—Conduct of analysis including discourse analysis.
- Stage Six—Drafting of thesis.

As work undertaken by law enforcement agencies targeting TOC involves the use of national intelligence collection assets a great deal of the working material was classified. In addition, data associated with ongoing investigations that had not been finalised in a court of law were unable to be accessed. During stage four, interview content was focused at the theoretical and conceptual level rather than on case-specific information to avoid compromising classified material.

3.3.1 Stage One — Review of Literature

An extensive literature review was undertaken during Stage One. This review examined a range of multi-disciplinary issues such as intelligence theory, strategic intelligence, TOC, policy development in law enforcement, law enforcement strategy development, KM and decision-making. The tasks undertaken in this stage were:

- A review of all available research and literature relating to strategic intelligence, intelligence in law enforcement, TOC, KM in law enforcement, decision-making in law enforcement, policy and strategy development in law enforcement and alternative analytical strategies for dealing with uncertainty.
- Drafting of a thematic literature review that encompassed the major themes and identified convergences of theory.

Emerging literature and research continued to be monitored and reviewed throughout the project.

3.3.2 Stage Two—Placing the AFP's Strategic Intelligence responses to TOC in a wider law enforcement context

To undertake a case study of the application of law enforcement strategic intelligence targeting TOC it was necessary to explore the wider strategic criminal intelligence context. This exploration process helped to contextualise the AFP case study findings when applying inductive reasoning to develop the conceptual frameworks. To develop this understanding it was necessary to undertake additional case studies surrounding the application of strategic intelligence in comparable, high-policing law enforcement agencies at the national and international level.

These supplementary case studies involved the analysis of documents relating to existing law enforcement strategic intelligence models and their reports (Krippendorff, 2004; and Wooffitt, 2009). This analysis formed the basis for the later stages of the research process. The analysed documents revealed what strategic intelligence in law enforcement does in the sampled organisations and what value it creates for its clients. It is important to note that these documents were created in natural settings without observer impact and as such have strong validity (Wooffitt, 2009).

This stage involved conducting three comparative case studies of national law enforcement agencies: Criminal Intelligence Service Canada (CISC), the UK's Serious Organised Crime Agency (SOCA) and the Australian Crime Commission (ACC). CISC and SOCA were undertaken as comparative case studies of international law enforcement strategic intelligence models. The ACC case study examined the AFP's key partner's application of strategic intelligence in law enforcement. These case studies involved analysis of existing strategic intelligence models and content analysis of archival documents. NVivo software (qualitative data analysis software) was used to analyse archival literature to expose strategic intelligence models and concepts. This then allowed a comprehensive comparative analysis of existing strategic intelligence models from the UK, Canada and Australia in the form of case studies.

The tasks undertaken during this stage were:

- Obtaining copies of AFP, ACC, SOCA, and CISC intelligence models.
- Obtaining copies of AFP's, ACC's, SOCA's, and CISC's last two annual reports.
- Obtaining copies of AFP's, ACC's, SOCA's, and CISC's last two annual reports on organised crime.
- After obtaining the documents each was read in a random sequence to ground the researcher in the material.
- The materials were then read a second time, again in a random sequence, with initial observations being recorded in the form of research memos within NVivo (see Appendix 1).

- Prior to these documents being coded, a code book was developed based on key words identified within the research plan and the research notes. The following document-specific codes were used:
    - Intelligence models. Content that relates to preventing, detecting, disrupting, and investigating TOC (including strategic intelligence).
    - Annual reports. Content that relates to preventing, detecting, disrupting and investigating TOC (including strategic intelligence).
    - Annual strategic reports on TOC. Content that relates to predictive, decision-support, encyclopaedic and anticipatory intelligence and KM content.
- The documents were then coded using the code books with the process being recorded in NVivo.
- Throughout this process the researcher's initial reactions were recorded in the form of NVivo annotations (see Appendix 2).
- At the conclusion of the analytical process, for each document family the researcher returned to the previous document family and re-coded these documents based on the current set of codes.
- Analysis of the results of this phase and identifying patterns and comparing and contrasting the results for each agency.
- Analysis of the validity and reliability of these findings.

At the conclusion of this stage a narrative was developed that explored and recorded initial research findings. This document described the organisations that were being researched. The intelligence models of each organisation were then described, compared and contrasted.

3.3.3 Stage Three—Review of existing AFP Intelligence Doctrine and Policy

This phase involved a comprehensive analysis (utilising document and content analysis methods) and review of AFP intelligence doctrine and policy as well as policy and strategy development doctrine.

AFP intelligence doctrine was obtained from the AFP research sponsor. Prior to the analysis an observation guide was developed to improve the reliability and validity of the analytical process. As in stage two after developing the observation guide each document was read in a random sequence to ground the researcher in the material. The material was read a second time, again in a random sequence, with initial observations being recorded in the form of research memos within NVivo (see Appendix 1). Prior to these documents being coded, a code book was developed based on key words developed from the research plan. Throughout this process the researcher's initial reactions were recorded in the form of NVivo annotations (see Appendix 2).

Analysis and interpretation of the results was then undertaken and recorded in the form of a narrative that explored and recorded initial research findings. This document described and compared the AFP's intelligence doctrine with existing intelligence models, supported by textual evidence (specific examples). Following this, propositions for the development of a law enforcement strategic intelligence theory were identified.

The tasks performed during this stage were:

- collection of copies of AFP intelligence doctrine;
- comparing and contrasting this doctrine with Ratcliffe's 3-I Model (2008a), Gill's (2009; p.22) Cybernetic Model, and the NIM Business Model;
- obtaining copies of AFP policy and strategy development doctrine;
- comparing and contrasting the linkages between these models and intelligence doctrine and policy and analysis of identifying how these relate in the case of TOC; and
- Analysis of the validity and reliability of these findings.

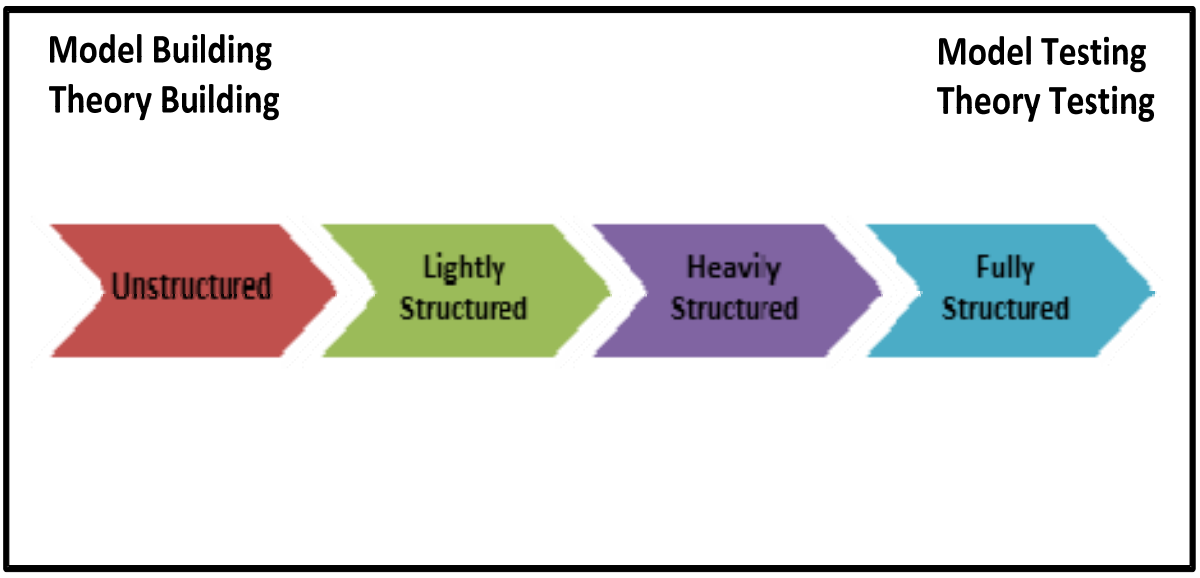
3.3.4 Stage Four—Field phase qualitative interviews

The primary in-depth case study involved a range of semi-structured qualitative interviews utilising a purposive sampling model. Particular care was taken in the sampling process to get a rich set of data which allowed for triangulation of findings and observations. The sampling method section outlines the specific sampling process used for the research.

A semi-structured interview plan was developed that encompassed the secondary research questions and findings from stages one, two and three. The interviews were conducted at the AFP Headquarters at Barton, Canberra. The interview process had an explorative purpose. As such, focus was placed on collecting participants' personal perceptions and experiences of strategic intelligence performance and TOC. These qualitative interviews were transcribed and then coded using NVivo. As each interview was transcribed research notes were linked to each interview transcript.

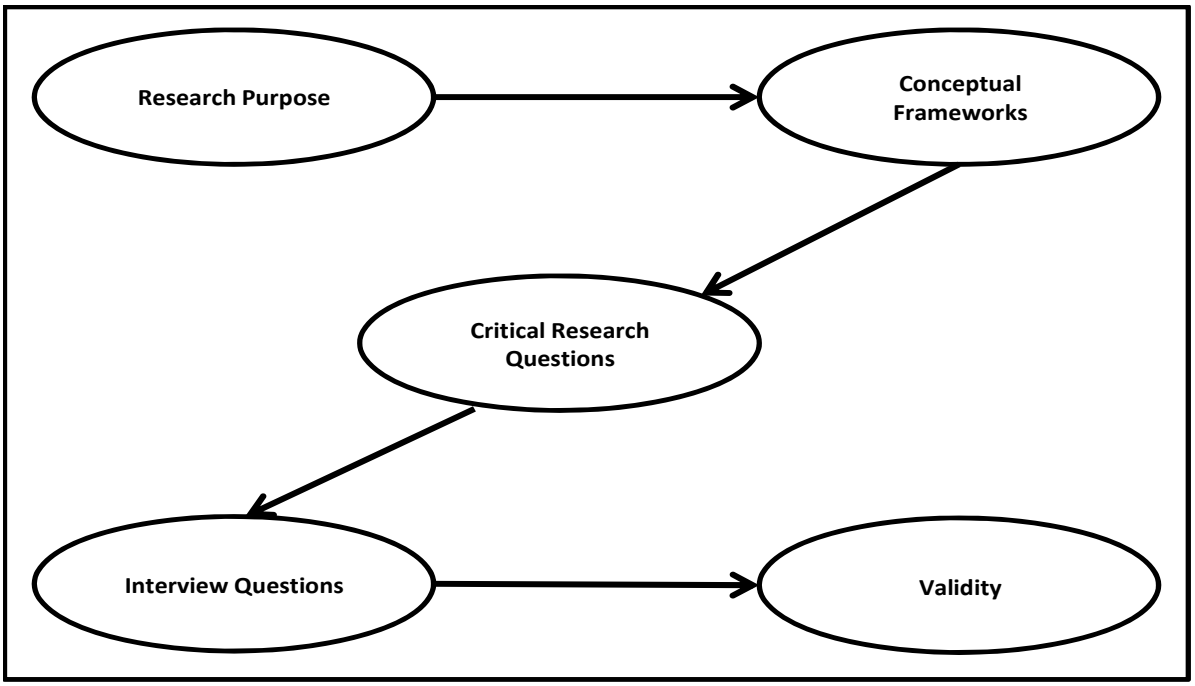
In deciding on the appropriate theoretical basis to develop the interview instrument it was necessary to return to the research methodology to confirm the suitability of the method chosen. Figure 3.1 graphically represents the possible relationship between the interview spectrum and phases in theory development (Wengraf, 2006; p. 61). This theoretical model reinforced the selection of the semi-structured interview method given the research purpose of theory and model building.

Figure 3.1 — Spectrum from Unstructured to Fully Structured Interviewing and Possible Relationship to Phases in the Development of Theory
(Wengraf, 2006)



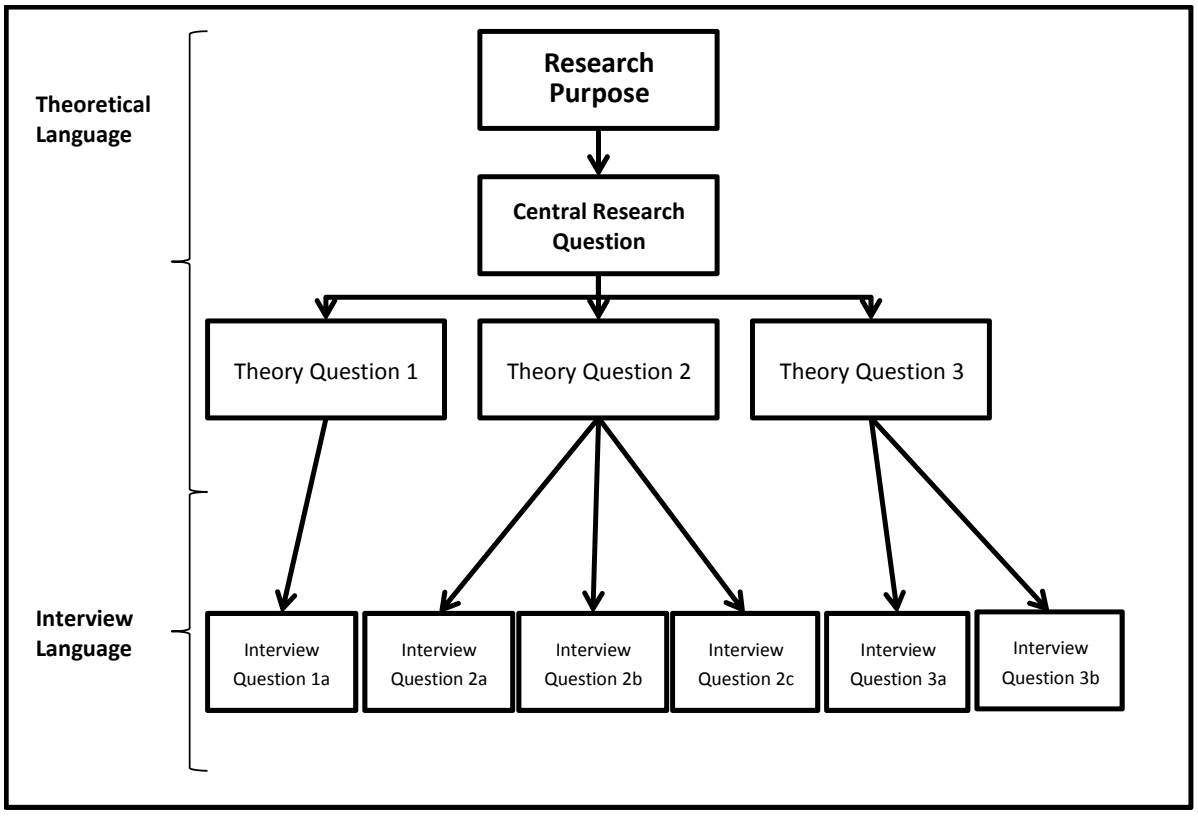
Both Maxwell's (1996) Research Interview Model (see Figure 3.2) and Wengraf's (2006) Pyramid model (see Figure 3.3) were used to guide the development of interview questions. Through the application of these models the suitability and validity of research interview questions were linked with research purposes, whilst being grounded in theory. Maxwell's Research Interview Model (see Figure 3.2) was used to ensure that there was a clear link between research purpose, theory, and interview questions. In achieving this link there is evidence to support the validity of the research findings.

Figure 3.2 — Maxwell's Research Interview Model
(Maxwell, 1996)



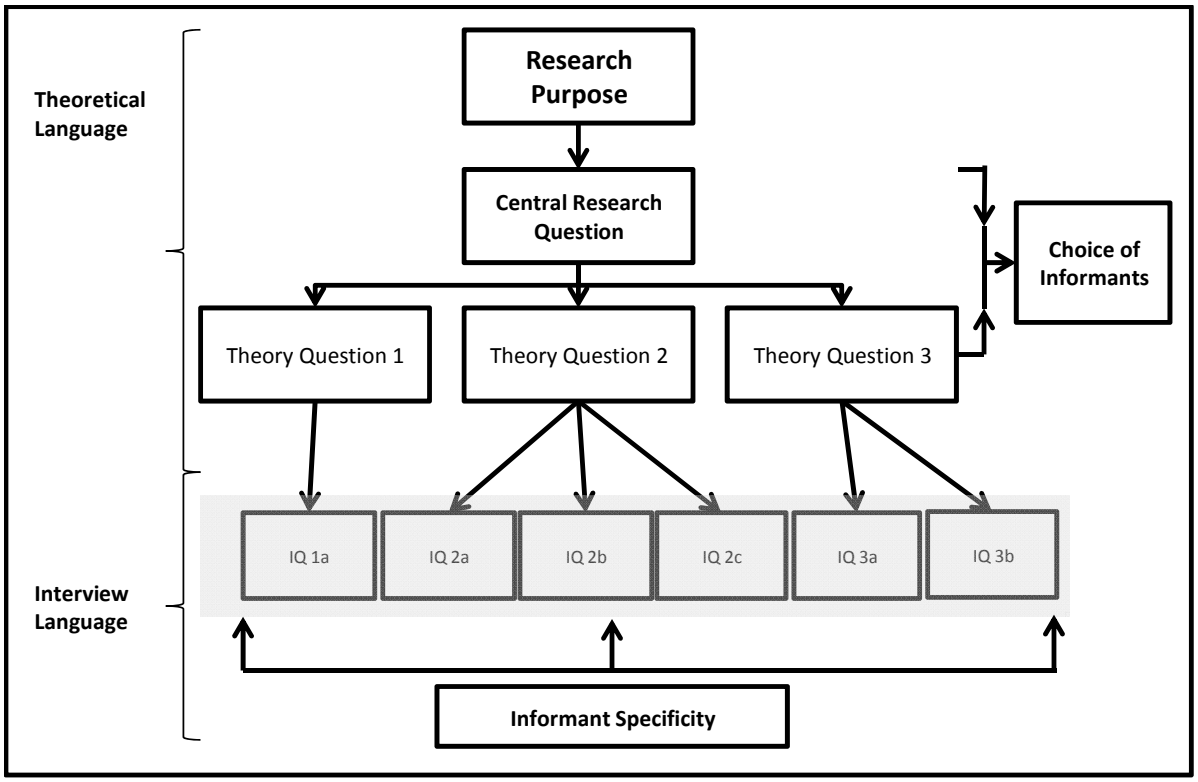
Wengraf's (2006) Pyramid Model (Figure 3.3) argues that the qualitative interview question development process should be guided by the algorithm Central Research Question (CRQ), Theory Question (TQ) and Interview Question (IQ) or CRQ-TQ-IQ. In developing this model Wengraf (2006) argues the primacy of the research question in interview question development. Wengraf (2006) also argues that there is an important transformational stage in the pyramid model which results in the transformation of language from theory to the interview questions. Wengraf's Pyramid Model was used to ensure that interview questions were valid and sufficient.

Figure 3.3 — Wengraf Pyramid Model
(Wengraf, 2006)



An analysis of the completed questions and sampling model indicated that not all theory and interview questions were relevant for all participants. In order to theoretically ground the research and interview question selection, consideration was given to the selection of questions based on analysis of each informant's role. Wengraf's '*Co-determination of Initial Informant Questions Model*' (Figure 3.4) was used for this purpose. Wengraf's model argues that informant interview questions are co-determined by the theory questions and the characteristics of specific informants (2006). As a result, preparation for the interview phase was continued but with a focus on preparing interviews for each stratum of the proposed purposive sample.

Figure 3.4 — Pyramid Model of the Co-Determination of Initial Informant Questions (Wengraf, 2006)



With the interview question development grounded in theory and logically linked with the primary research question, interview trialling commenced. The interview trialling consisted of three stages. The first stage involved three practice interviews. At the conclusion of each interview participants were asked to provide feedback on the researcher's performance and on the interview questions. The next phase involved a videotaped practice interview. The interview was reviewed a number of times by the researcher and an independent reviewer. The final phase involved a further two interviews. Participants were again asked to provide feedback on the researcher's communication skills and the research questions. At the conclusion of each stage the comments were examined and changes made where necessary. During these stages a number of prompts and probes were also identified.

At the commencement of the coding phase a log was established to track the coding process. As part of this process an initial code book was developed that covered descriptive, topic and analytical categories and nodes. These coding categories were developed based on initial researcher observations during interviews and the code books from the previous stages. At the conclusion of the initial coding process recoding and on-coding was undertaken. This process was used to refine and analyse each code and node. A process of browse coding was undertaken to identify similarities and differences in responses.

The tasks undertaken during this stage were:

- developing a semi-structured interview plan that encompassed the research questions and findings from stages one, two and three;
- undertaking sampling;
- conducting interviews;
- transcribing and coding interviews in NVivo;
- analysing requirements to undertake further interviews;
- analysing the results and comparing and contrasting these findings with those of the previous stages and the theories found in the literature.

3.3.5 Stage Five—Analysis

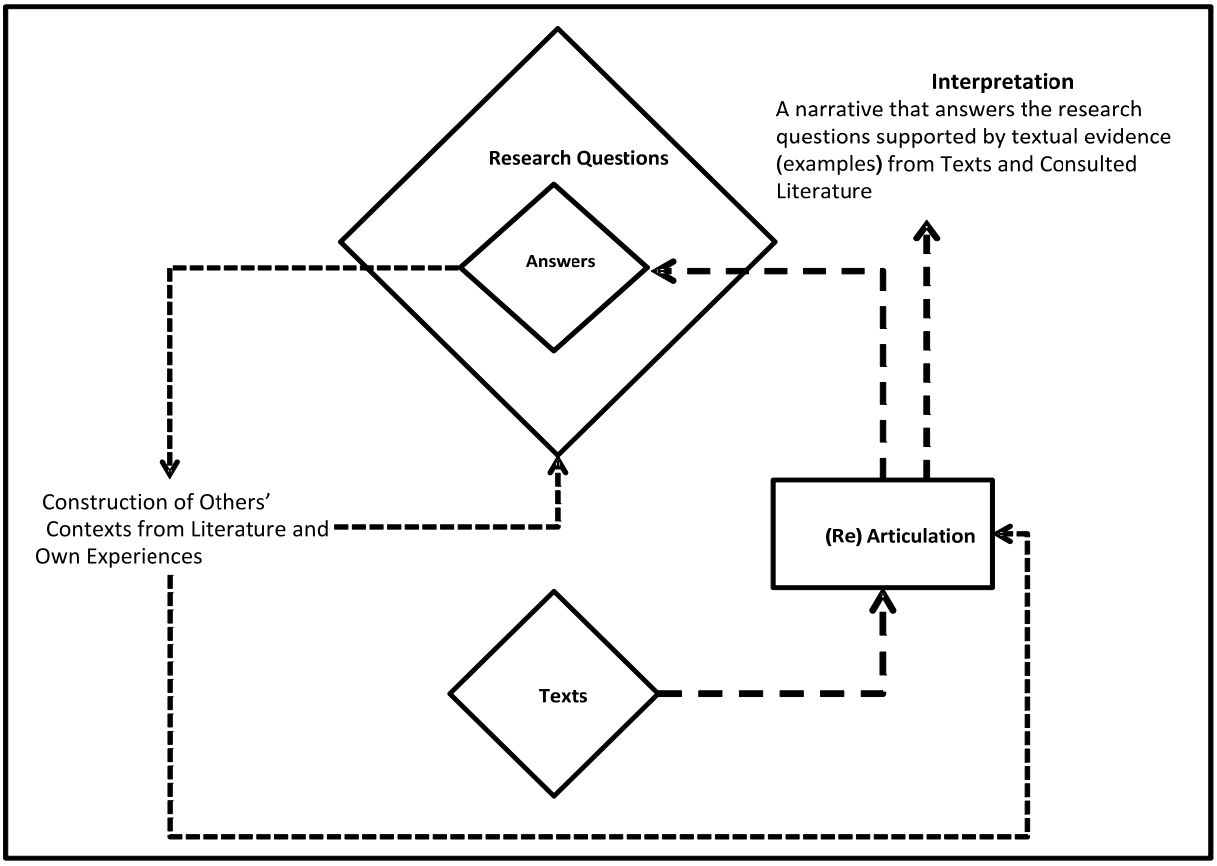
In this stage, stage four's data and ideas were first analysed and then linked with the findings and analysis from stage three. Discourse analysis was used to analyse how strategic intelligence was represented within the content of written and verbal data collected during the research project. As part of this process how individuals and texts constructed the meaning of strategic intelligence was explored. In this approach analysis considered both how written data sources came to be and what they meant.

Within this research, discourse analysis was used whilst examining documents and speech, as a mechanism to identify and describe the hidden meanings and motivations behind text. More specifically, this method was used to focus on the diverse perspectives within the archival literature review, document and content analysis, and qualitative semi-structured interviews. In adopting this approach Krippendorff's (2004; pp. 88-89) Qualitative Content Analysis Model (see Figure 3.5) was used to consider diverse readers, different ideologies and critiques. Each time a text or interview was reviewed and coded a process of constructing others' contexts is undertaken. This process was informed by a variety of sources including the researcher's personal experience and the research data sources themselves.

Discourse analysis was used at various stages of the research to expand the focus of the research to identify and explore hidden agendas and messages within the written and spoken research data (Krippendorff, 2004). A number of narratives were produced during various stages of the research. In each of these narratives discourse analysis provided a means of undertaking content analysis at the macro level.

Figure 3.5 — Krippendorff Qualitative Content Analysis Model

(Source: 2004; p. 89)



Much of this work in this stage involved testing ideas using data and coding searches. From this analysis a range of theories were developed and tested. These specific theories were then expanded and tested using the data from stage two. The use of these multiple data sets permitted the use of triangulation in theory development. Triangulation in this stage refers to the cross-checking and corroborating of the research data gathered from various sources. Using this information and analysis, the data was again analysed for explanations of findings within a theoretical context. This analysis resulted in the development of hybrid models of explanation. Finally, inductive theory was used to expand the research findings to theorise about their wider context.

3.3.6 Stage Six—Drafting of thesis

Although much of this phase was conducted concurrently throughout the research process additional time in the project plan was allocated to drafting chapters on the results of stage five.

3.4 Research Timeline

Appendix 12 contains the timeline for the research program.

3.5 Sampling Method

A non-probability sampling technique was selected for the archival literature review. The selection of this sampling method was based on the research design, desired research outcomes and the research question. A purposive sampling approach was used to select CISC, SOCA, the ACC and the AFP for this activity. This selection was based on the results of the literature review and the comparative legal systems and law enforcement arrangements. At the same time, American law enforcement agencies were rejected on the basis that their different legal systems and large volume of internal jurisdictions made comparative analysis impossible.

The AFP case study also involved undertaking semi-structured qualitative interviews. A purposive sampling model was used for subject selection and particular attention was given in the sampling process to getting a rich set of data which allowed for findings and observations to be triangulated. Appendix 3 provides details of the original proposed purposive sample and the sample that was achieved.

The AFP's National Manager Intelligence, Assistant Commissioner Tim Morris, coordinated approaches to AFP staff and managers from other Commonwealth departments which use AFP intelligence products. Assistant Commissioner Morris sent an email (see Appendix 4) to all potential participants inviting them to participate in the research by contacting the researcher to organise an interview. The email was accompanied by a copy of the '*recruitment flyer*' (see Appendix 5) and '*consent form*' (see Appendix 6).

3.6 The Qualitative Interview Sample

Appendix 3 provides the details of the proposed research sample which was to be comprised of 54 participants. A total of 46 semi-structured interviews were conducted which is approximately 85 per cent of the intended sample. The majority (over 85%) of the research participants were members of the AFP at the time of interview.

The research participants fall into the following six broad categories:

- The first category consists of the AFP's Senior Leadership Group (SLG) which is comprised of one Commissioner, three Deputy Commissioners, and eight Assistant Commissioners. The proposed sample called for interviews with seven participants who represent 100 per cent of the members of this group who deal with TOC, strategic intelligence or policy relating to TOC. Five interviews were conducted which represents 71 per cent of the population.
- The second category can be broadly described as the managers of strategic intelligence staff within the AFP. This group is comprised of three senior managers and six mid-level managers. The original proposal called for six interviews being with those involved in TOC and/or strategic intelligence. A total of five interviews were conducted representing 80 per cent of the population.

- The third category is comprised of AFP intelligence staff that develop and produce strategic intelligence products. This group consists of intelligence analysts and their team leaders. All 15 of the proposed interviews were conducted.
- The fourth category can be broadly described as AFP policy staff that use strategic intelligence to develop AFP organisational policies and strategies. The original sample proposal called for six interviews representing 100 per cent of the population. A total of five interviews were conducted which represents 80 per cent of the population.
- The next category can be broadly described as AFP operational police and their managers, who have responsibility for the investigation, disruption and prevention of TOC. The original proposal called for 14 interviews to represent the various levels of middle managers and practitioners. A total of 11 interviews were conducted. The sampling focused on getting a variety of perspectives. This and the following category are the smallest statistical samples of a whole population.
- The remainder of the participants can be broadly defined as Commonwealth Agency representatives who are responsible for enforcement activities related to TOC. All six proposed interviews were conducted.

3.7 Recording the Research Process

The researcher maintained a research diary throughout the project. The diary was utilised to capture major decision points but, just as importantly, it was also used to record initial thoughts and analysis of research activities. Appendix 11 contains an example extract of the research diary.

3.8 Research Validity and Reliability

This body of research has involved a variety of research methods, which have predominately been qualitative in nature (Richards, 2005). Qualitative researchers often argue for an alternative framework for assessing the quality of research (Geertz, 1983; Guba and Lincoln, 1985; and Strauss and Corbin 1990). Guba and Lincoln (1985) argue that the soundness of qualitative research can be assessed using an alternative four criteria model. Table 3.2 provides a comparison of the traditional validity and reliability criteria and their corresponding alternative criteria.

Table 3.2 Comparison of Qualitative and Quantitative Validity and Reliability Measures (Source: Guba and Lincoln 1985)

Traditional Criteria for Judging Quantitative Research	Alternative Criteria for Judging Qualitative Research
Internal Validity	Credibility
External Validity	Transferability
Reliability	Dependability
Objectivity	Confirmability

Given the aim of the research and its methodologies the soundness of its findings were tested by analysing trustworthiness, credibility, transferability, dependability and confirmability (Guba and Lincoln, 1985). Table 3.3 provides a brief summary of the strategies for verifying the research soundness.

Table 3.3 Strategies for verification in qualitative research

Procedures for Verification	Strategies to Build Into Research Design	Authors
Transferability	Thick description Extensiveness of data collection	Geertz 1983; Guba and Lincoln 1985; Strauss and Corbin 1990
Dependability	Thoroughness of data documentation	Maxwell 1996; Yin 1994
Confirmability	Data methods documented in detail	Lather 1991; Miles and Luberman 1984
Trustworthiness	Triangulation of data sources Thoroughness and accuracy in data collection and recording Extensive number of informants	Guba and Lincoln 1985; Miles and Luberman 1984;
Credibility	Prolonged engagement in the field Negative case analysis Demonstration of logical chain of evidence	Miles and Luberman 1984; Yin 1994

Transferability relates to two separate scales: the degree to which the findings can be extrapolated to the population studied, and the degree to which the findings can be transferred to other populations (Geertz, 1983). Guba and Lincoln (1985) argue that thick rich descriptions, as found throughout this thesis, permit the reader to make decisions as to the transferability of the findings.

The dependability of research findings is concerned with ensuring that the collected data sets are '*stable and consistent over time*' (Maxwell, 1996). The dependability of this research was enhanced by the extensive time the researcher had spent in the field, and the lengthy associated interview process. Maxwell (1996) argues that the dependability and confirmability of research findings can be substantially enhanced if '*threats of inaccuracy in data collection are reduced*'. This research utilised interview recordings and verbatim transcripts to substantially improve the dependability of the findings.

The verification of confirmability is concerned with the relationship between what research participants meant and what the researcher has inferred (Lather, 1991). Guba and Lincoln (1985) argue that the most effective means of ensuring this is to have research participants check research data. This method was used throughout the research process in the form of a number of participants (50%=23) reviewing their interview transcripts and records.

Trustworthiness relates to the individual data sources used within the research process (Guba and Lincoln, 1985). Miles and Luberman (1984) posit that through the use of '*multiple and different sources, methods and theories*' the qualitative researcher can ensure the trustworthiness of the research findings. This research has addressed this through research design using four separate case studies, multiple data sources, mixed methods and the application of triangulation.

Yin (1994) argues that the credibility of qualitative research findings can be enhanced through sound research design. More specifically, research findings are strengthened through prolonged and sustained engagement in a field (Yin, 1994). The research design specifically addressed this requirement through a lengthy, phased research plan with continuous engagement in the field and with the literature. Miles and Luberman (1984) argue that research that analyses negative cases to improve the theory development process substantially improve the credibility of the research results. In the case of this research negative cases are consistently used within the theory development process to enrich the research findings.

3.9 Ethics Clearance

All Queensland University of Technology (QUT) research involving the participation of humans must be reviewed and monitored by the '*University Human Research Ethics Committee'* (UHREC). To be approved all human research must comply with the *National Statement on Ethical Conduct in Human Research* and the *MOPP Policy D/6.2 Research Involving Human Participation*. Appendix 7 contains the '*Application for Low Risk Research Involving Human Participants*' for this research program.

The research was considered to be low risk in nature due to the following reasons:

- Firstly, the research does not fall into, or intersect with, any of the '*Designated Chapters*' of the *National Statement on Ethical Conduct in Human Research*.

- Secondly, on review the research had an almost negligible likelihood of causing harm as defined in Chapter 2.1 of the *National Statement on Ethical Conduct in Human Research (2007)*.
- Of particular note, participation in the research was unlikely to result in physical, psychological, devaluation, social, economic or legal harms.

The only foreseeable risk to interview participants relates to the potential for discomfort before the interview and in generating viewpoints on workplace issues during the interview.

The potential risks associated with conducting this research were as follows:

- Given that the AFP's Executive supported this research junior staff members may have perceived that participation was compulsory.
- During the interviews AFP staff members may have inadvertently divulged national security or operational information.
- The AFP may have taken action to improve participation rates in interviews which could have impacted on each participant's ability to make informed consent decisions.
- Responses considered negative to the AFP Executive could have resulted in actions to identify specific comments to specific participants.
- Participants may have felt discomfort at being asked to provide personal assessments and opinions on issues such as intelligence doctrine and effectiveness.
- The research report identified contentious issues between organisational sub-groups that could impact upon organisational behaviour.

To address the potential risks associated with this research the researcher developed a number of mitigation strategies. These strategies were implemented during the research program. At the '*whole-of-project*' level many of these strategies were predicated on developing a clear understanding between the researcher and representatives of the AFP's SLG as to what access they would have to interview data. The following specific mitigation measures were implemented:

- Additional time was allocated to the start of all interviews to clearly explain to participants the concept of informed consent. In the event that there was any indication that a subject was not voluntarily participating, the interview was terminated. This occurred on one occasion.
- The AFP research sponsor was not provided with details of response rates or the personal details of research participants.
- Any comments that are quoted within the final thesis were reviewed by the researcher to ensure that participants cannot be identified.
- The interviews were conducted in a relaxed manner to attempt to reduce the potential discomfort experienced by participants.

The confidentiality of interview participants was strictly protected. The personal details of interview participants were kept separate from all records of interviews. A central register of interview participants was maintained. Each participant was allocated a code which is the only identifying link between interview records and personal details. The central register is the only place where the personal details and codes are stored in the same location. The file containing this log was kept in softcopy and password protected.

At no stage has the AFP or QUT been provided with the personal details of those who participated in interviews. In addition, these stakeholders were not provided with data which would allow them to identify interview participants. All data were stored off site at the researcher's residence. Appendix 8 provides QUT approval for the off-site storage of research data. Soft copy data was stored on a standalone laptop without access to the internet. This data was backed up to two 1.5 terabyte external drives. All electronic media files were stored in a lockable four drawer filing cabinet.

The researcher's risk review, following the development of the risk mitigation strategies and the AFP's acceptance of the residual risk, indicated that there were low to negligible risks associated with the research. Furthermore, the benefits realised by this research far outweighed the limited risks involved. Appendix 9 contains a letter of support from the AFP that also acknowledges and accepts the residual risks of the research. Appendix 10 contains the *QUT Human Ethics Approval Certificate* for this research.

3.10 The Research Problem and Current Research

Increasingly the field of intelligence studies is seeking to include law enforcement intelligence within its research (Sheptycki, 2009). This is particularly evident in the range of intelligence research that examines counter-terrorism, national security and approaches to intelligence sharing (Riley, Treverton, Wilson and Davis; 2005). Current research in this field has focused on the fusion of multi-source intelligence, which has been viewed theoretically as one of the key steps to achieving better intelligence outcomes and, by default, national security (McGarrell, Freilich, and Chermak, 2007; Innes, 2006; Kruger and Haggerty, 2006; and Pythian, 2006). Whilst the current research in the field has included law enforcement data sets its primary focus has been on the national security apparatus rather than law enforcement. This thesis touched upon intelligence studies concepts relating to intelligence fusion and lessons learnt from intelligence failure in the national security context.

Current law enforcement intelligence research has focused on developing intelligence as a dominant police management methodology (Ratcliffe and Guidetti, 2007). This research has focused on the application of intelligence in decision-making in the traditional enforcement paradigm of policing. Law enforcement intelligence research has also focused on developing models and exploring the relationship between intelligence and police management (Ratcliffe, 2008a). This research explores intelligence and police management's contemporary application and lessons learnt in practice to further develop current models, and the practical application of contemporary strategic intelligence targeting a specific and more complex criminal threat: TOC.

This research focused on strategic decision-making within law enforcement and the role of strategic intelligence in supporting holistic law enforcement regardless of the dominant management paradigm. As such it touches upon the concept of ILP and its associated research but has a wider focus than enforcement outcomes. In the context of the current law enforcement intelligence research, this research builds on previous studies by exploring the application of their findings in a practical environment at a strategic level.

Since 2008 a number of academics have sought to explore the relationship between KM and intelligence in law enforcement (Ratcliffe, 2008c; Fasihuddin and Dean, 2009; Gottschalk, 2008; and Dean and Gottschalk 2007). This current theoretical discourse informed the study of the role of strategic intelligence; however, discussion of the placement of strategic intelligence within KM theory was not explored.

Current research supports the argument for the importance of this research. In each case these bodies of research intersect with the research problem and provide a number of alternative lenses for examining the research issues at hand. Furthermore they also highlight that the research problem relates as much to the interplay between decision-makers, strategic planning and decision-support as it does to intelligence theory.

3.11 Conclusion

This chapter has discussed how the research design has selected methodologies and methods that are focused on answering the research questions (Rudestam and Newton, 2007; pp.17-19). Just as importantly this chapter has highlighted how the selection of methodologies and methods was established on the firm foundation of a well-argued epistemological and theoretical perspective (Crotty, 1998; pp. 2-7).

Chapter 4

Case Study One: Law Enforcement Strategic Intelligence in CISC and SOCA

4.1 Introduction

This chapter presents an analysis of case studies of the Criminal Intelligence Service Canada's (CISC) and the United Kingdom's (UK's) Serious and Organised Crime Agency's (SOCA) application of strategic intelligence against transnational organised crime (TOC). The chapter is divided into two sections, the first discussing CISC followed then by SOCA. Each section provides a detailed description of the case site, its operating context and an explorative analysis of the data collected during the research. The chapter reveals the role that strategic intelligence plays in each organisation and the value it provides.

The study of CISC and SOCA provides this thesis with an international perspective on the application of strategic intelligence in law enforcement against TOC. CISC and SOCA share a number of similarities in roles, responsibilities and legal systems with that of the Australian national law enforcement agencies—the Australian Federal Police (AFP) and the Australian Crime Commission (ACC). It is these similarities that allow comparative analysis in later chapters.

The research presented in this chapter is derived from multi-stage qualitative analysis—using content and discourse analysis techniques—of both agencies' (CISC and SOCA) corporate documents and intelligence products. The chapter presents an explorative analytical narrative of these organisations and their application of strategic TOC intelligence. The chapter also seeks to compare and contrast each organisation's application of strategic TOC intelligence against contemporary academic theories.

4.2 Part A—The Criminal Intelligence Service Canada

4.2.1 Operating Context

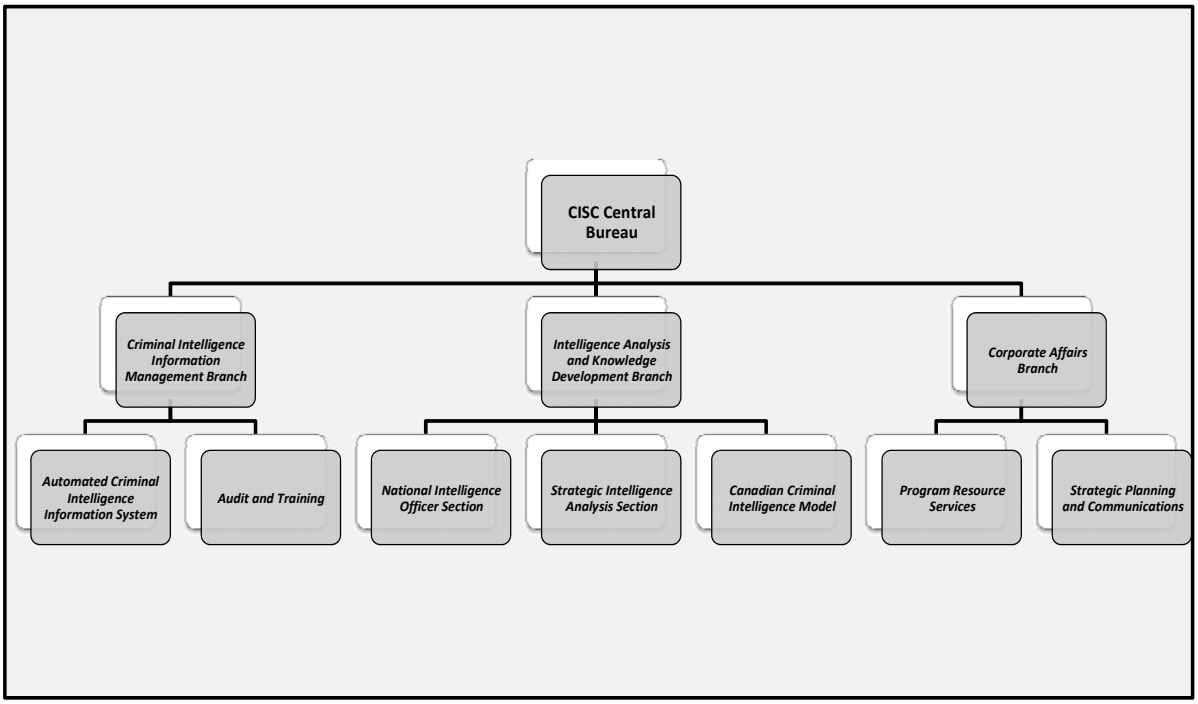
CISC was established in 1970 to '*facilitate the timely production and exchange of criminal information and intelligence within the Canadian law enforcement community*' (CISC, 2008; p. 3). CISC documents recognise a difference between criminal information and intelligence (see also CISC, 2008); however they do not specifically articulate the difference between these two commodities. CISC itself provides a practical example of the challenges (as discussed in the Chapter Two, Literature Review) faced by law enforcement when attempting to isolate the differences between criminal information and intelligence (Ball, 2007). The CISC case study specifically illustrates Ball's (2007) theories on how the blending of criminal information and intelligence functions adds further confusion to the challenge of developing strategic intelligence theory.

CISC was originally conceived as a formal policy response to the need for a specialised criminal intelligence agency to combat a growing organised crime (OC) threat in Canada (CISC, 2008; p. 3). Since its inception CISC's strategic goal has evolved to dually focus on intelligence outputs and the integration of the Canadian criminal intelligence community (CISC, 2010a and 2011). This goal has been further complicated by the articulation, in corporate documents, of a link between strategic intelligence and strategy development at both the Canadian law enforcement community and whole-of-government levels—terms which are both conceptual in nature. In the context of this paper whole-of-government '*denotes public service agencies working across portfolio boundaries to achieve a shared goal and an integrated government response to particular issues' (MAC, 2004)*.

4.2.2 Role and Structure

CISC considers itself to be an '*umbrella organisation*' of all Canadian law enforcement agencies consisting of almost 400 individual law enforcement agencies (CISC, 2008; p. 3). CISC's physical structure is comprised of a Central Bureau (see Figure 4.1) and ten provincial bureaus. The provincial bureaus are independent business units that are focused on criminal intelligence activities within their geographically defined areas of operation. Within this mandate the provincial bureaus produce '*strategic intelligence products and services at the provincial level*' (CISC, 2008; p. 3). CISC argues that these products and services are instrumental in the development of national-level intelligence products by the Central Bureau. The existence of the dual strategic levels at provincial and central levels supports the notion that strategic intelligence in law enforcement could be defined by the user's areas of interest. Alternatively, as argued by Walsh (2011), strategic intelligence in law enforcement could also be defined by the organisation's perception of its operating environment.

Figure 4.1 — CISC Central Bureau Organisation
(Source: CISC, 2011)



The Canadian Government groups CISC's member agencies into three broad categories (CISC, 2011, 2010 and 2010a). The first of these groupings includes all of Canada's domestic police agencies. The second membership category is comprised of Canadian agencies with specific law enforcement roles. The final membership group is broadly defined as consisting of any agency that has a role which is complementary to the work of the previous two categories. This framework reveals the diverse role that police play in justice policy countering TOC (Ratcliffe and Guidetti, 2007; and Ball, 2007).

Canadian law enforcement's strategic intelligence model is premised on a theory that police are responsible for more than the enforcement of laws, whether municipal, provincial or national (Ransley and Mazerole, 2007; pp. 37-38). From a justice policy perspective the CISC membership model is tangible evidence that police have a central role in the provision of TOC policy advice and strategies. In providing policy advice to government the Royal Canadian Mounted Police (RCMP) and CISC do not limit their advice to enforcement strategies, but rather address criminality from a holistic prevention perspective (Ransley and Mazerole, 2007; pp. 37-38).

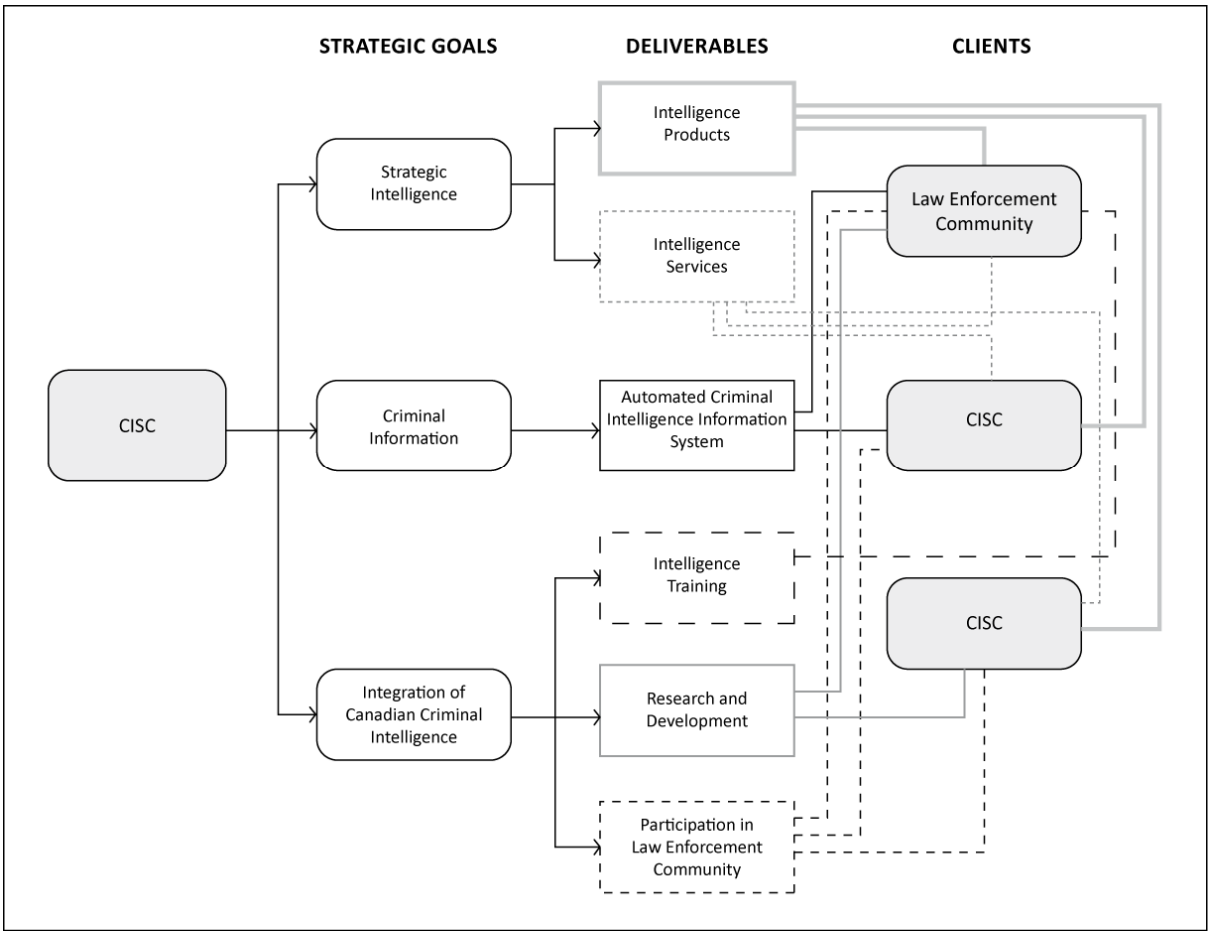
CISC is a strategic intelligence organisation that is staffed and resourced to support the Canadian law enforcement community (CISC, 2008; p.3). CISC documents link its work with intelligence-led policing (ILP) theories (CISC, 2011). In making this link, CISC corporate documentation highlights the increasing importance of knowledge and understanding of both threat and risk for law enforcement (See also CISC sample documents). This link would appear to be consistent with that found by Dean and Gottschalk (2007) and Collier (2006) who sought to identify strong links between intelligence and knowledge. Analysis reveals that the link appears to be related to client confusion over the difference between intelligence products, analytical tools and police operational reporting and knowledge products (see also Carter and Carter, 2009; and Schneider and Hurst 2008). However, CISC's conception of knowledge and understanding as an intelligence output is still consistent with Ball's (2007) time-focused paradigm for information and intelligence.

Knowledge and understanding is generally conceptualised in law enforcement as factually related to a '*beyond reasonable doubt*' test (Davis, 2003b; and Levi and Maguire, 2004). In comparison, the future focus of CISC intelligence products ensures that the reliability of the knowledge and understanding contained within such reports is more akin to a '*balance of probabilities*' (Cope, 2004). Thus, the underpinning epistemology of intelligence and policing are at times incongruent, based on each party's conceptualisation of knowledge.

CISC argues that its primary role is to '*support police decision-making*' (CISC, 2011). CISC has also adopted a secondary role of supporting Canadian Government decision-making (CISC, 2011). In contrast to its support of policing, CISC's support of government is conceptually linked with the safety of Canada from the threat of criminality. The strategic support CISC provides to police is target centric, whilst their support to public policy is problem-orientated (Schneider and Hurst, 2008). This indicates that strategic intelligence in law enforcement may have a dual focus of supporting law enforcement and government policy.

The Ottawa-based CISC Central Bureau was established to develop and disseminate strategic intelligence products and services at the national level. Figure 4.2 presents CISC Central Bureau's goals, deliverables and clients (CISC, 2008, 2009, and CISC, 2010). Of interest to this research is CISC's dual role as a provider of criminal information and strategic intelligence. This suggests that there is a client demand for both commodities and that the difference between the two commodities is sufficient enough to call for their separation in corporate documents (Carter and Carter, 2009; and Schneider and Hurst, 2008). However, CISC intelligence theory argues that the production and dissemination of these commodities is sufficiently similar that they should reside within the same organisation (see also Cope, 2004; and Ball, 2007). CISC intelligence doctrine argues that strategic intelligence capability is a user of criminal information. This is evidence of the close relationship between criminal information and the production of strategic intelligence. Regardless of this relationship and the similarities in reporting, CISC clients demand criminal information and strategic intelligence support products (CISC, 2008, 2009, and 2010).

Figure 4.2 — CISC Central Bureau's Goals, Deliverables and Clients (Source: CISC, 2008, 2009, and 2010)



CISC clients are the Canadian law enforcement community and government public policy staff (CISC, 2011). Canadian law enforcement in this context includes a range of agencies, forces and organisations. Like the United States (US), the arrangements for policing in Canada vary greatly. Some, but not all, Canadian municipalities, provinces and states operate police forces. Where these are not present the RCMP is responsible for law enforcement. These varied and ad-hoc policing arrangements are problematic for the production of client-focused strategic intelligence at both provincial and national levels.

Whilst CISC Central Bureau shares clients with provincial bureaus there is a significant difference in the geographical and subject matter scope of their strategic intelligence products. The provincial bureaus produce strategic criminal intelligence which is geographically-focused within their respective territory to the needs of their specific clients, whether police or government. This sharing of clients suggests that CISC Central Bureau provides a different strategic intelligence product than its regional offices. The national focus of the Central Bureau reveals that the strategic intelligence needs of law enforcement agencies can vary greatly at the various organisational and geographic levels (Carter and Carter, 2009; and Schneider and Hurst, 2008).

The CISC Central Bureau's specific roles in combating OC in Canada are:

- '*Developing knowledge and understanding of the organised crime threat in Canada*';
- '*Contributing to overall reduction of the harm caused by organised crime*'; and
- '*Providing early warning of future organised crime trends'*. (CISC, 2008; pp.2-4)

CISC focuses on producing intelligence pertaining to organised and serious crime, and the criminal markets that these groups and activities dominate, or have influence over (CISC, 2010, 2010a and 2011). CISC has been set the goal of transcending traditional jurisdictional boundaries and limitations (CISC, 2008). It seeks to achieve this through the integration of intelligence and criminal information reporting. Although CISC seeks to impact on government policy its primary focus appears to remain on the prevention and disruption of OC in a traditional law enforcement context (CISC, 2008; pp. 7-12, Carter and Carter, 2009; and Deukmedjian and Lint, 2007).

In addition to these roles the Canadian Government has directed CISC to utilise its strategic intelligence and criminal information products to reduce OC harm through public awareness campaigns (CISC, 2011). This strategy is underpinned by a theoretical perspective that public awareness is an essential mitigating factor for OC threats and harm reduction (CISC, 2008a). The argument proposes that CISC's annual public report on OC increases public understanding of the impacts and causes of OC in Canada.

CISC suggests that public understanding of TOC and OC threats, risks and harms results in increased awareness (CISC, 2011). This awareness will then serve to prevent criminal infiltration of Canadian communities and businesses. In addition, the increased awareness will improve the quantity and quality of public reporting on OC activity in Canada. In the *2008 Report on Organised Crime* (CISC, 2008a) CISC focused on identity theft and fraud. The aim of the report was to encourage Canadians to safeguard financial and personal information. The product aimed to firstly raise the awareness of the threat and then provide practical measures for citizens to mitigate the risk of harm. Finally information was provided to the report's readership to encourage the reporting of suspicious activity.

Although CISC's OC public awareness approach appears to be conceptually sound the prevention and disruption impacts of its reports are questionable (see also Chadee et al. 2007, Collins, 2005). Analysis of the content of CISC public reports raises questions about their purpose. A significant portion of these reports is focused on arguing, or demonstrating, that OC and TOC pose a public threat in Canada. This approach to the structuring of these products could be perceived as a bureaucratic attempt at selling a law enforcement agenda (Sanderson, 2006). Such a perception is not conducive with the aim of '*providing an overall strategic picture of organised crime in Canada and an understanding of the numerous ways it impacts the lives of Canadians*' (CISC, 2008; p. 9).

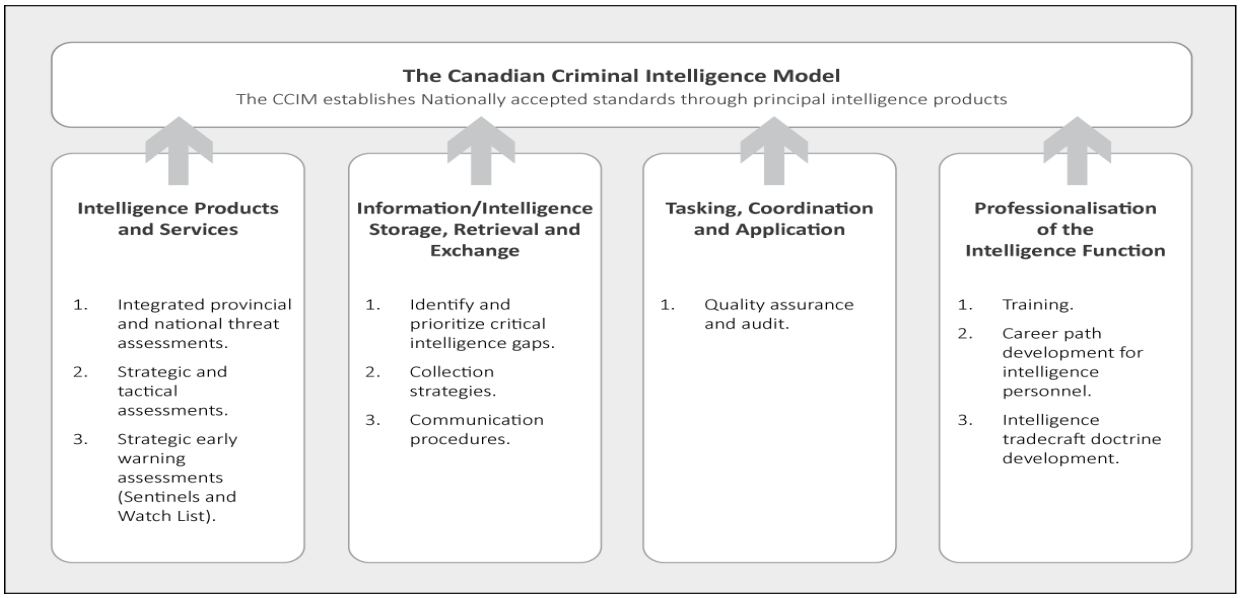
4.2.3 Conceptualisation of Transnational Organised Crime

CISC conceptualises TOC from two distinctive perspectives (CISC, 2011). Firstly it examines TOC from an illicit markets perspective. The second approach examines criminal groups and networks from a law enforcement perspective. Each of these perspectives provides CISC clients with very different lenses for examining TOC. In adopting this dual lens framework it could be argued that CISC is analysing TOC from a micro perspective, based on a traditional understanding of OC. CISC perceives TOC as being comprised of homogenous groups operating within homogenous markets (Gibson, 2009; Vassalo and Case, 1996; Cockayne and Williams, 2009, and Davis, 2007). By using this micro perspective CISC analysis may not develop a macro perspective of convergences of crime types and crime groups (Quarmby, 2009).

4.2.4 Intelligence Model

The Canadian Criminal Intelligence Model (CCIM) is a framework for the integration of Canadian criminal intelligence from across Canadian law enforcement agencies (see Figure 4.3). The CCIM is comprised of four strategy pillars which serve to create consistency in the work of the Canadian criminal intelligence community (Tusikov and Fahlman, 2009 and Schneider and Hurst, 2008). The first pillar is the development of standardised and integrated intelligence products and services. The second pillar is the coordination of information and intelligence storage, retrieval and exchange. The third pillar is the tasking and coordination of law enforcement intelligence. The final pillar is the professionalisation of the law enforcement intelligence function in Canada. From this perspective the CCIM works more as an instrument for standardisation across various services than a theoretical model for intelligence (Schneider and Hurst, 2008).

Figure 4.3 — Canadian Criminal Intelligence Model
(Source: CISC, 2010)



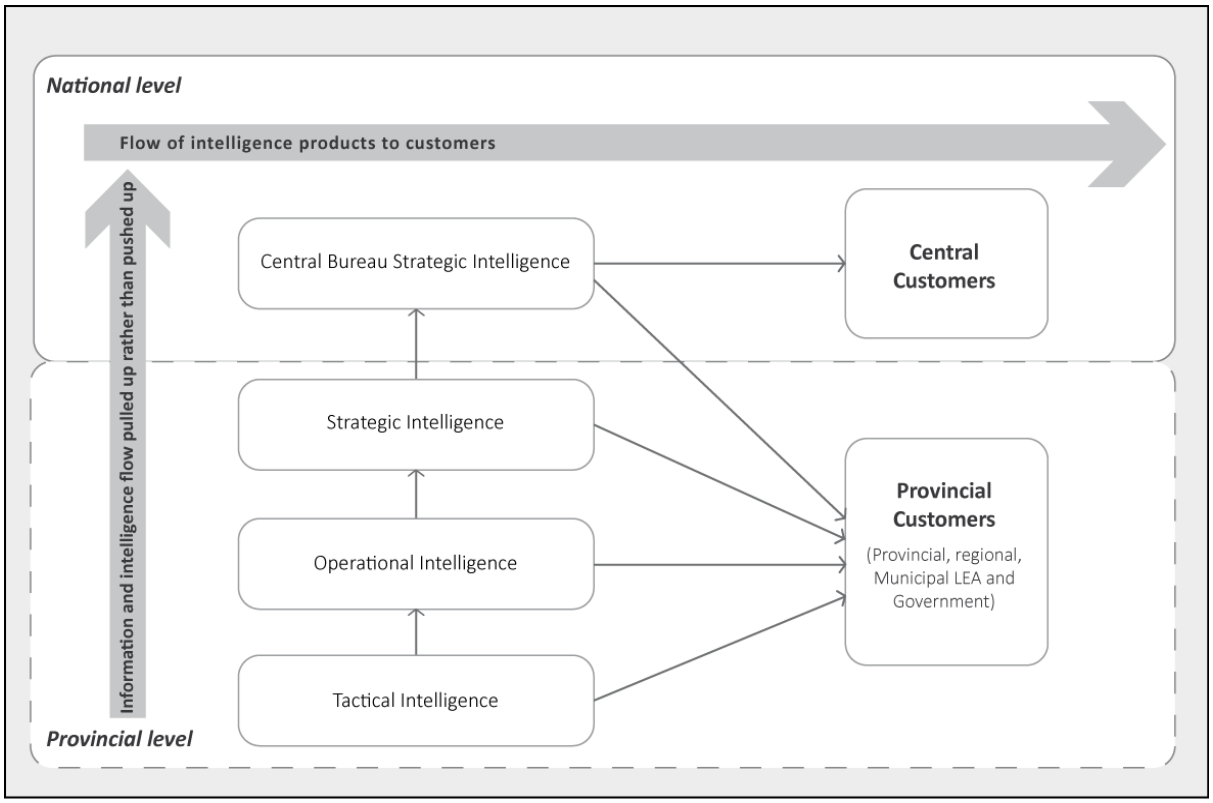
A cornerstone of CISC's work and the CCIM is the development of an IT solution to intelligence sharing, called ACIIS (Automated Criminal Intelligence and Information System) (CISC, 2008, 2009, 2010, and 2011). The system was developed to store intelligence and information on OC. Achieving this goal is impeded by the challenge of identifying intelligence or information that specifically relates to TOC (Gill, 2006). Edwards and Levi, (2008), SOCA (2008) and the United Nations Office of Drug Control (UNODC) (2010) have all argued that TOC infiltrates various parts of the domestic and international community often in ways that are barely visible. Any system focused on collating all information will by definition have large, if not infinite, data requirements.

The key components of the CCIM are focused on introducing integrated, end-to-end processing of intelligence and information sharing (Tusikov and Fahlman, 2009; and Schneider and Hurst, 2008). This model is underpinned by an assumption that law enforcement is a traditional hierarchical or bureaucratic construct. CCIM integration can thus be achieved through a dual focus on people and processes. Much of the intelligence doctrine that has been developed for the CCIM has focused on the bottom-up integration of reporting and information (Schneider and Hurst, 2008).

It is possible that the process of integration and collation of provincial reports may result in the aggregation of threat and risk assessments at a strategic level. Lefebvre (2010; pp. 235-237) and Hulnick (1999) have argued that intelligence analysis involves far more than the aggregated sum of all information. Strategic intelligence involves a complex process of evaluating and synthesising all-source data and information. Before any intelligence analysis is undertaken the reliability and credibility of raw information is considered. This information is compared with existing knowledge and intelligence to identify facts and errors. Discreet data is then analysed to determine its '*nature, proportion, function, relevancy, and any interrelationships*' (Lefebvre, 2010; pp. 235-237). The information is then collated, compared and contrasted. This process is used to '*make predictions, gain insight, identify information gaps, or explain a complex set of facts and relationships*' (Lefebvre, 2010; pp. 235-237). This clearly indicates that the development of strategic intelligence by the Central Bureau, through the CCIM, should involve more than the aggregation of provincial reporting. This process of analysis is necessary to ensure that intelligence products are relevant to the Central Bureau's strategic intelligence customers.

An analysis of the offence of burglary serves to illustrate the impact of aggregated analysis. A strategic intelligence assessment on burglaries might reveal that across a number of regions 1000 burglaries had occurred over a given time period. The figure itself may be useful, or descriptive, but as intelligence it does little to guide senior decision-making. In comparison, a detailed analysis of burglaries using a geographic information system (GIS) might identify a geographical concentration. The identification of a geographical concentration can only be achieved through a careful analysis of all regional information that has been contextualised. Intelligence will then deviate from crime information processes by providing clients with answers to interrogative questions (who, what, when, where, how and why) relating to the geographical concentration. Although the burglary example is a community policing issue it amplifies the possible impacts of aggregated analysis for high-policing. The aggregation of all criminal occurrences or criminal information may be interesting, but does little to provide detailed decision-support intelligence. It also indicates that a strategic intelligence capability must contextualise aggregated data from multiple perspectives to understand and exploit its intelligence value.

Figure 4.4 — Aggregated Analysis— CISC
(Source: CISC, 2007, 2007a, 2007b, 2007c, 2008, 2008a, 2009, 2009a, 2010, and 2011)



The CCIM implies that provincial customers need more than provincial-based strategic intelligence to set law enforcement strategy and policy. The CCIM, and the analysis contained in Figure 4.4, provide evidence that provincial bureau customers (provincial, regional and municipal law enforcement and governments) need '*provincial*' and '*national*' strategic intelligence. The CCIM signposts the important de-confliction role that communication between strategic analysts at provincial and central locations plays in avoiding unnecessary conflict in strategic assessments. The CCIM also intimates that regional intelligence clients are interested in strategic intelligence that examines a wide area of interest beyond that covered by provincial bureaus.

The CCIM promotes the development of strategic intelligence reports that use aggregated analysis. Figure 4.4 provides a graphical representation of the process of aggregated analysis. CISC strategic intelligence reports do not necessarily analyse criminal markets from a national or macro perspective (Tusikov and Fahlman, 2009; and Schneider and Hurst, 2008). Often it appears that CISC analyses criminal markets from an aggregated micro lens approach that could result in geographical biases from overly simplistic analytic processes (Tusikov and Fahlman, 2009; and Schneider and Hurst, 2008). Added to the existing analytical challenges of analysing only the visible elements of criminal markets, this could lead to further inaccuracy in intelligence assessments (Ratcliffe, 2008). This provides evidence supporting the hypothesis that strategic intelligence in law enforcement involves more than the aggregated collation of operational reporting and analysis.

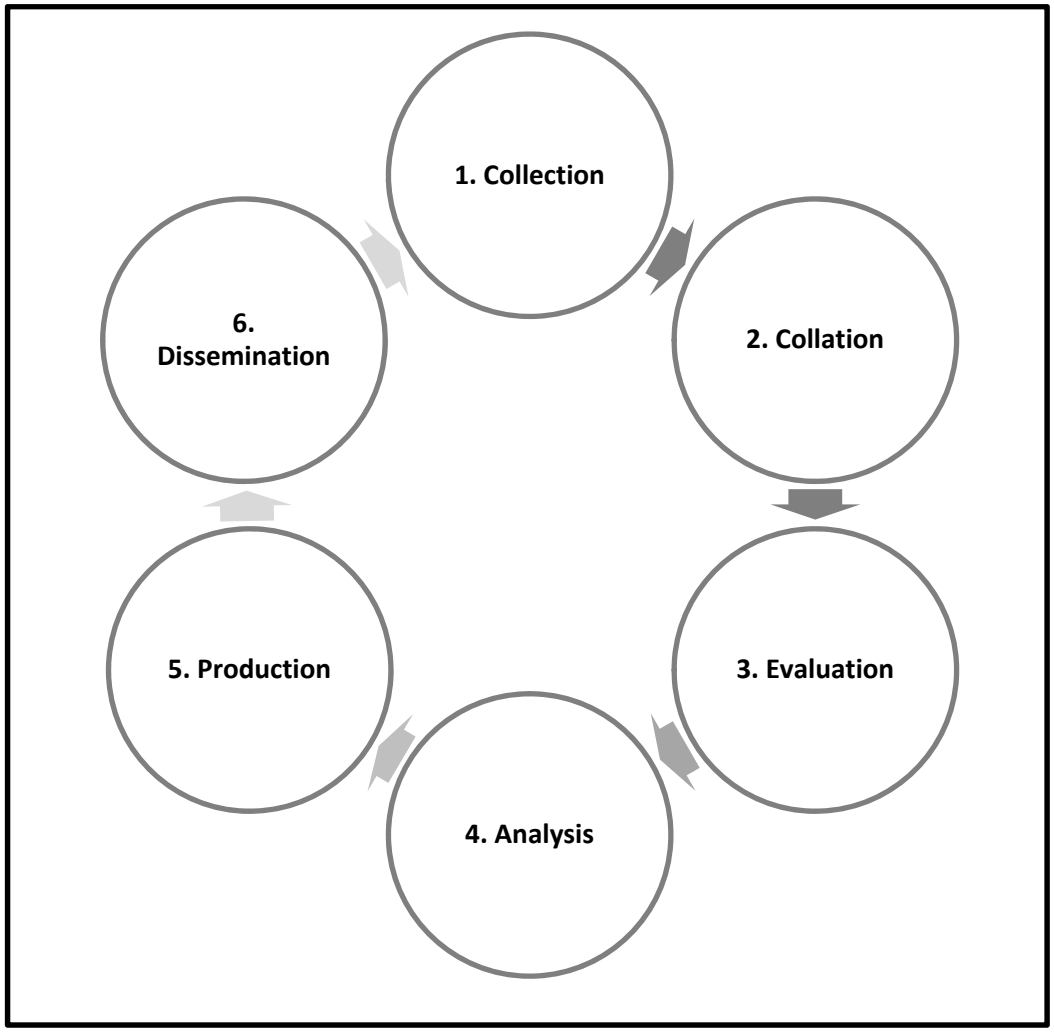
One of the major issues faced by CISC involves the disconnect between strategic and operational intelligence and the broader strategic plans of Canadian law enforcement agencies at different levels of government. Operations conducted by the Combined Forces Special Enforcement Unit (CFSEU) illustrate this issue. CFSEU often undertakes operational activities against significant OC and TOC targets in British Colombia. Whilst doing so the CFSEU will often not share operational data with CISC British Columbia (Schneider and Hurst, 2008). In addition, investigators and intelligence analysts do not always share information that could have strategic implications (Davis, 2007). This is most likely the result of one or more of three reasons. The first of these is the tribalism that is often reported to exist in law enforcement which makes information power (Ratcliffe, 2008a). The second is an institutionalised and theoretical disconnect between law enforcement strategic intelligence and operations. The final possibility is that the level of awareness of strategic issues at tactical and operational levels is not present.

CISC's strategic intelligence capability resides within the Intelligence Analysis and Knowledge Development Branch (CISC, 2010 and 2011). CISC utilises the terms '*knowledge*' and '*knowledge management*' throughout their corporate documents and intelligence doctrine. Like the terms '*criminal information*' and '*strategic intelligence*', specific definitions for '*knowledge*' and '*knowledge management*' are not provided by CISC. The absence of clear definitions prevents CISC staff and clients from definitively understanding the differences between knowledge, intelligence and information (see also Carter and Carter, 2009; and Schneider and Hurst, 2008). As there is no clear knowledge development section within the CISC structure it would appear reasonable to assume that CISC may consider knowledge development to be part of the intelligence process

CISC's Intelligence Analysis and Knowledge Development Branch is primarily focused on the collation, analyses and production of strategic intelligence relating to OC. Although CISC states that it collects information and intelligence, in reality it carries out only two sub-elements of the intelligence cycle: collation and dissemination (Kahn, 2009). Much of the work that CISC undertakes relies on the collection activities of other agencies and the exploitation of extant data holdings (CISC, 2010a).

The Intelligence Analysis and Knowledge Development Branch is responsible for developing, producing and disseminating all CISC analytical products and services (CISC, 2011). The primary tasks undertaken to achieve this role are the collection and evaluation of all criminal information and intelligence disseminated to CISC. The quantity of information received and the limits of the available resources for processing data mean that it is not possible to fully evaluate all raw data. Subsequently, the collation and evaluation process is guided by internally-generated criminal intelligence requirements. The criminal intelligence requirements direct the CISC strategic intelligence cycle (though this is not clearly stated within any of the researched documents). Apart from the absence of direction, the CISC intelligence cycle (as illustrated in Figure 4.5) is consistent with the widely accepted intelligence cycle (Carter and Carter, 2009; and Schneider and Hurst, 2008).

Figure 4.5 — CISC Intelligence Cycle.
(Source: CISC, 2008, 2009 and 2010)



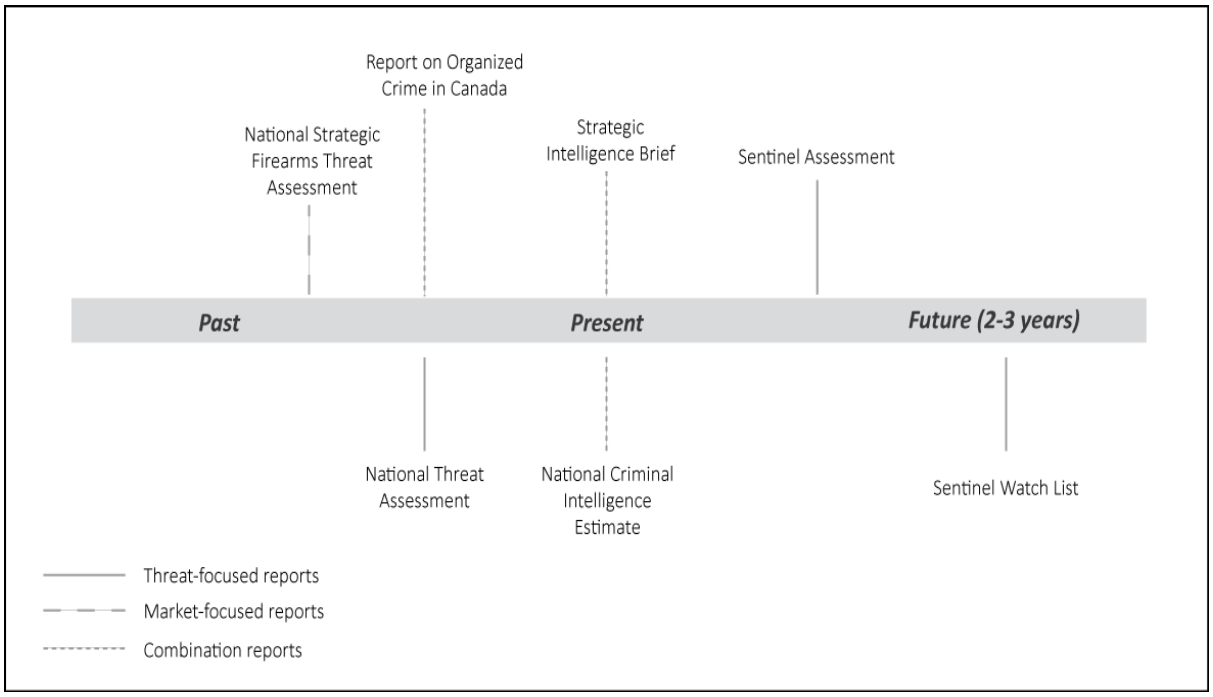
4.2.5 Strategic Intelligence Products

Strategic Intelligence Analysis Services produce CISC's various strategic intelligence products (see also CISC Sample Documents). This business unit has adopted a mixed methodological analytic approach to strategic intelligence. Strategic Intelligence Analysis Services focuses its analytical work on criminal entities and understanding the environment that these entities operate within. In adopting this dual-lensed methodology the unit gives priority to reporting on the current market paradigms, their impact on Canadian society and criminal motivations (Best, 2010). Although analytical outputs from these methodologies would meet many of the needs of police (community policing applications), law enforcement and policy it could be argued that they do not consider causal factors (Carter and Carter, 2009). A strategic intelligence approach that enhances the client's understanding of TOC causal factors could play an important part in proactive policy development (Quarmby, 2009).

CISC's methodological approach to strategic intelligence acknowledges the ease and speed with which criminal entities replace each other within the criminal market (Gibson, 2009; Vassalo and Case, 1996; Cockayne and Williams, 2009; and Davis, 2007). Although CISC recognises that criminal enterprises can, and do, operate within and between the legitimate and illegitimate economies, their conceptualisation of TOC remains limited by a Canadian-centric view point (CISC, 2011). As such, the market is conceptualised as a separate entity or construct from the criminal enterprises. CISC strategic intelligence argues that the criminal market is comprised of demand and supply forces which are exploited by networked OC figures (CISC, 2010a and 2011; and Gibson, 2009).

Strategic Intelligence Analysis Services' reports are focused on providing clients with an understanding of the current situation in the criminal environment, and the implications of this situation for the decision-maker (CISC, 2011). This output is achieved through the analysis of historical data. With this analysis Strategic Intelligence Analysis Services' analysts provide clients with an estimate of both the current and future threat. The intelligence analysis supporting this estimative process is chiefly engaged in the exploitation of criminal indices, rather than wider information sources. Subsequently, very little of the Strategic Intelligence Analysis Services' production or analytical capability is focused on estimating or predicting future trends (Carter and Carter, 2008). Quarmby (2009) has argues that such approaches prevent the discovery of new events as well as the anticipation of emerging or potential trends.

Figure 4.6 — Time and reporting focus of CISC strategic intelligence products (Source: CISC, 2007, 2007a, 2007b, 2007c, 2008, 2008a, 2009, 2010, and 2011)



To support decision-making CISC produces intelligence that falls within three categories: market-focused, threat-focused and a combination of both. Figure 4.6 highlights the time and reporting focus of CISC's strategic intelligence products by mapping the time frames. CISC produces various strategic intelligence products, including the National Threat Assessment (NTA), National Criminal Intelligence Estimate (NCIE), strategic intelligence briefs, Sentinel Watch List and Sentinel Assessment (part of the Strategic Early Warning Unit), the National Strategic Firearms Threat Assessment and the Report on Organised Crime in Canada.

Figure 4.6 illustrates how the majority of CISC's strategic intelligence products are historically focused. This historical reporting focus is associated with a strong client demand for crime analysis (Carter and Carter, 2009). CISC's combining of crime analysis and strategic intelligence products skews the analysis of intelligence products (Cope, 2004). The CISC analytical focus on the past and present facilitates reactive TOC decision-making (Carter and Carter, 2009). Cope (2004) argues that TOC analysis focused on the past has a negative impact upon law enforcement decision-making (Cope, 2004). More specifically, previous research has revealed that the entrepreneurial nature of TOC and OC necessitates innovative futures intelligence (Quarmby, 2009). Threat-focused future intelligence products are orientated towards reducing strategy response times, as opposed to supporting the development of proactive TOC strategies.

CISC's intelligence products are underpinned by the Sleipner threat measurement technique (CISC sample documents). The Sleipner technique is a subjective threat assessment technique that results in the numerical rank-ordering of criminal groups in Canada (Tusikov and Fahlman, 2009; pp. 147-148). The technique uses five Sleipner levels across 19 predefined criminal organisational attributes. The tally of all the measures for each of the 19 attributes results in the allocation of a numerical threat level for a given organisation. All criminal groups can therefore be rank ordered. The technique has been criticised for a number of shortfalls (Tusikov and Fahlman, 2009; pp. 147-148). Firstly, the assessments are based on an incorrect assumption that information holdings for all organisations are equal (Kahn, 2009). Secondly, the system assumes that the future and current criminal activities of criminal groups can be based on historical reporting (Tusikov and Fahlman, 2009; pp. 147-148). Finally the Sleipner model is based on subjective assessments of the attributes of targets as opposed to a reduction in harm.

The following sections examine and analyse each of CISC's Central Bureau intelligence product lines starting with the National Strategic Firearms Threat Assessment. CISC coordinates the annual production of a national strategic firearms collection and analysis effort on behalf of the law enforcement community (CISC, 2011). The aim of the report is to strategically monitor the illicit firearm situation in Canada, providing the reader with an understanding of the illicit firearms market. It is intended to inform law enforcement and senior government officials on the illicit firearms situation in Canada so as to assist with informed policy making and strategic planning. This approach is underpinned by an assumption that those elements of the market observed overtly and covertly are reflective of the entire market—including its clandestine components. This market-centric report is concentrated on assessing and evaluating the scope, magnitude and characteristics of the illicit firearm market (CISC, 2011). The report contains both crime analysis and encyclopaedic intelligence. This assessment is based on the observation that the report aims to formally collate, record and disseminate baseline criminal information on the market. The report attempts to summarise and collate regional trends and extrapolate a strategic situation from the aggregated regional situations (CISC, 2011; and Vellani, 2007).

The validity and reliability of this approach to building a strategic understanding of a specific crime threat is questionable. More specifically the assessment is based on a theory that the strategic picture is a mathematical aggregation of the operational picture. McDowell (2009; p. 56) argues that strategic intelligence reports are much more than a statement of what the total accumulation of intelligence and knowledge holdings are. Marrin (2009; pp.200-202) supports this assumption by discussing the importance of strategic intelligence in identifying what has, may or will happen, and also why.

Rud's (2009) work with analysing '*Holocracy*' and '*Holons*' goes some way to providing a practical example of how the study of smaller units does not create an understanding of the whole. The '*Holon*' concept was constructed by Koestler (1967) and further developed by Wilbur (2001). More specifically '*Holons*' are used to describe as '*a whole set that is part of a larger whole*' (Rud, 2009; pp. 200-210). Rud (2009 pp.200-210) argues that each '*Holon*', at every level, strives to work to achieve its aims. These aims may not be the same as those sought by the overall holocracy. As such the study of the micro, although helpful, will not necessarily allow for an understanding of the whole picture. Similarly, the study of each criminal enterprise, or an aggregation of them, does not necessarily provide a strategic or macro perspective of TOC.

The annual National Threat Assessment (NTA) of organised and serious crime has been developed as the corner stone for Canadian law enforcement's prioritisation of TOC targets (CISC, 2011). The NTA serves as a benchmarking tool to support target prioritisation for the Canadian law enforcement community's '*Strategy on Combating Organised Crime*' (Tusikov and Fahlman, 2009; pp. 147-148). With this product CISC aims to inform decision-making by senior law enforcement leaders within the CISC National Executive Committee, Provincial Bureau Executive Committees and the provincial bureaus.

Often the terms threat and risk are used interchangeably by CISC (Tusikov and Fahlman, 2009; pp. 147-148). In the context of the NTA, threat relates to an assessment that examines the '*nature and magnitude*' of specific organised and serious crime threats that pose a harm to Canadian citizens and their interests (Tusikov and Fahlman, 2009; pp. 147-148). In comparison, risk assessments deal with the probable impact and likelihood of an adverse event. Using these definitions the NTA provides only part of the decision-support material needed for a holistic threat and risk decision-support system.

As the NTA is focused on all organised and serious crime that impacts on Canadian people and their interests (CISC, 2007, 2008, 2009, 2010, and 2011) it presents an extremely broad direction for the assessment process (Quarmby, 2009). The process for developing the NTA adopts a dual module methodology to determine OC investigation priorities: a criminal organisation threat assessment and criminal market place analysis. CISC analysts begin the threat assessment process by identifying and describing threat issues (CISC, 2011). This serves as the direction phase for the subsequent intelligence analysis involved in producing the NTA. Before the threat assessment process is started there is a requirement in CISC's strategic intelligence doctrine to prioritise the allocation of the limited strategic analytical resources. Conducting a market place analysis allows CISC analysts to '*identify and contextualise*' specific threat issues (CISC, 2011).

The market analysis approach is underpinned by the theories and models of the legitimate economy (Tusikov and Fahlman, 2009; pp. 147-148). Analysis is based on the assumption that OC is primarily motivated by profit. The market analysis approach subsequently argues that criminal enterprises and activities replicate the legitimate market (Tusikov and Fahlman, 2009; pp. 147-148). This conceptualisation has similarities with Cressy's (1969) dated hierarchical model of OC. This model, along with the CISC market analysis, can be criticised for defining OC in a far too simplistic manner that ignores the evidence that it is a much more networked activity (Edwards and Levi, 2008).

CISC undertakes initial market analysis through a macro analysis of criminal reporting from across its databases and indices (CISC, 2011). This process is augmented by a macro analysis of cultural trends and events using the PESTEL model (Tusikov and Fahlman, 2009; pp. 147-148) which calls for the analysis of political, economic, sociological, technological, environmental and legal issues (PESTEL). CISC's finite and limited strategic intelligence resources necessitate the prioritisation of the PESTEL analysis, the output of which is the selection of threats for further analysis (Tusikov and Fahlman, 2009; pp. 147-148).

The NTA collates information from a variety of covert and overt sources (Tusikov and Fahlman, 2009; pp. 147-148). The process for producing the NTA acts as a means of collating a variety of indices into a single knowledge management (KM) output. This KM approach assists CISC in reducing uncertainty associated with decision-making in law enforcement in Canada (Tusikov and Fahlman, 2009; pp. 147-148). Although the knowledge approach results in a useful product—with decision-support value—it does not necessarily meet the strategic intelligence needs of senior decision-makers (McDowell, 2009; and Kahn, 2009). CISC's KM based approach to the development of the NTA may result in a product that is not forward-focused enough to compensate for the adaptability of the TOC criminal environment (Kahn, 2009; and Quarmby, 2009).

The NTA utilises a market-based analysis of OC as the starting point for a more detailed analysis of criminal enterprises. These enterprises, or threats, are examined through five separate, but linked, lenses: capabilities, intentions, limitations, vulnerabilities and opportunities (CISC, 2011; and Tusikov and Fahlman, 2009; pp. 147-148). The outcome of this approach is an assessment of threat based on estimations of the capability and intent of threat sources. This approach presents an analytical challenge for the strategic analyst, who must analyse threats through the five micro lenses, along with a macro lens, with incomplete and dated data sets. Through this process the five factors are analysed individually and the findings are then contextualised into the bigger picture of the market.

The time taken to produce long-form reports such as the NTA—including the time to plan, collect, collate and analyse data as well as draft and edit reports—often results in the analysis contained within the end product being dated by the time it is disseminated. This places an emphasis on analysts to provide predictive and futures intelligence within such reports to ensure that the products remain of benefit to decision-makers (Quarmby, 2009). Given these limitations, the utility of CISC market assessments in supporting whole-of-government TOC strategy development is limited.

The Canadian Government has directed CISC to utilise its strategic intelligence and criminal information products to reduce OC harm through public awareness campaigns (CISC, 2011). As a result the Annual Report on OC provides a dual module assessment of OC in Canada for a public audience. The report provides assessments of criminal marketplaces and the general operating characteristics of OC within these markets. As the reports are a historical summary, with limited estimative content, they are encyclopaedic in nature.

CISC has designed the '*Report on Organised Crime*' to inform and raise public awareness of the threat and impact of OC in Canada and provide practical measures for Canadian citizens to mitigate the risks. This approach is underpinned by an assumption that public understanding of OC threats, risks and harms leads to increased awareness and will decrease OC harm (CISC, 2010 and 2011). The report provides information to the Canadian public to encourage them to report suspicious activity. The success of this approach is, however, reliant on a proactive public audience seeking out and reading the report.

The National Criminal Intelligence Estimate (NCIE) serves as CISC's classified version of the '*Report on Organised Crime*' (CISC, 2011). It is a high-level report developed by CISC to provide government clients with a strategic estimate of the OC market and enterprises in Canada (CISC, 2011). From a theoretical perspective, estimative intelligence is focused on providing clients with an estimate of what could, or what is most likely to, occur in the future (Quarmby, 2009). Quarmby (2009) argues that estimative intelligence's role is to reduce the uncertainty associated with strategy setting and changing operating contexts. The aim of the NCIE is neither the generation of worst case scenarios nor divination of the future; assessment is based on the information available to analysts at the time of the original analysis. As such the reliability of estimative intelligence within the NCIE can wane quickly over time (Kahn, 2009).

Designed for a corporate law enforcement and government audience, the report is drafted to provide decision-support material. In drafting the NCIE, CISC in practice is biased towards presenting evidentiary-based information over estimative intelligence (CISC, 2011; and Tusikov and Fahlman, 2009; pp. 147-148). Similar trends across law enforcement have given rise to the use of the term '*evidence-based intelligence*' (Mitchell, 2007). '*Evidence-based intelligence*' in this context relates to high-value information that is based on highly reliable information and information sources. When estimating future trends it is unlikely that evidentiary standards of estimation could be achieved (Quarmby, 2009). There is a paradox in law enforcement strategic TOC intelligence that calls for evidence-based assessments that are at the same time predictive in nature (see also Walsh, 2011).

CISC intelligence doctrine argues that strategic intelligence briefs are the backbone of the organisation's current strategic outputs (CISC, 2007, 2007a, 2007b, 2007c, 2008, 2008a, 2009, 2009a, 2010, 20010a, and 2011). CISC uses the term '*current intelligence*' to describe strategic intelligence pertaining to what is happening in the criminal environment at the present (Verfaillie and Beken, 2008). CISC strategic intelligence briefs are comprised of two sections. The first section articulates the new information on hand that has led to the development of the report. The second section provides an assessment of the implications and meaning of this information for clients (McDowell, 2009).

The strategic intelligence brief report format was developed by CISC to provide its members with short-form, current strategic analytical products on OC in Canada (CISC, 2011). The reports are produced to address a variety of reporting requirements relating to criminal organisations, criminal markets or a combination of both (Verfaillie and Beken, 2008). In order to be relevant analysis contained within the strategic intelligence brief must be client-focused (CISC, 2011; and McDowell, 2009). Strategic intelligence brief analysis provides the client with an understanding of the relevance of the intelligence to their decision-making (Verfaillie and Beken, 2008). This approach helps CISC avoid intelligence functions from producing KM products that are interesting, but not future-focused (CISC, 2011; and McDowell, 2009). The nature of the strategic intelligence brief's contents indicates that CISC analysts need to have a well-developed understanding of their clients' information needs, current policies and strategies (Davis, 2009), without this the utility of their assessments are likely to be questionable.

Borrowing from national security's Cold War military doctrine, CISC has established a traditional indication and warning problem methodology for OC (Johnson, 2009). This methodology argues that proactive law enforcement concentrates on threats in three time series: current, emerging and future. It assumes that if future threats can be identified advance warnings of their emergence can also be provided (Johnson, 2009; p. 3). Once these warning signs have been identified then collection and analytical capabilities can be used to watch for indicators. If a series of indicators are then recognised by intelligence collection, warnings that an event may be occurring can be provided to decision-makers (Fingar, 2011). The successful implementation of this methodology is based on a range of factors such as suitably accurate identification of clear and measurable indicators, as well as more practical variables such as the availability of suitably sensitive sensors (Laqueur, 2009).

The Strategic Early Warning (SEW) Unit collate and analyse intelligence to anticipate criminal threats that could potentially emerge within the next 24 to 36 months (CISC, 2011). CISC claims that this is achieved through a process of ongoing monitoring and scanning of the criminal environment for indicators of change (CISC, 2010). Using this information the SEW Unit undertakes planning scenarios and analysis to develop initial criminal indicators of change (Verfaillie and Beken, 2008). The watch list is regularly disseminated to CISC's partners to allow them to contribute to monitoring these issues in the field.

The SEW Unit also disseminates the Sentinel Assessment (CISC, 2011a), which analyses the threat presented by certain scenarios included in the Sentinel Watch List. The Sentinel Assessment provides clients with a detailed analysis of the probability and impact of a potential threat of national scale. The SEW Unit offers the CISC community intelligence that aims to prepare enforcement agencies to limit, and perhaps counter, the impact of serious criminal issues before they materialise (CISC, 2011).

The CISC National Intelligence Officer Section (NIOS) performs the intelligence collection management role for the Canadian strategic criminal intelligence community (CISC, 2011). CISC intelligence doctrine revealed that NIOS is responsible for collecting, evaluating and disseminating criminal information at the Canadian national level (CISC, 2010). In performing this role NIOS collates and evaluates all incoming criminal information on behalf of both CISC and the Canadian law enforcement community.

NIOS' work is linked to the NCIE process. This assessment process is used by NIOS to produce National Criminal Intelligence Requirements (NCIRs). The NCIRs are developed as questions relating to the intelligence gaps identified within the NCTA.

One of the challenges of this process relates to the prediction of wildcard events that have not been considered in the threat assessment process as historical reporting has not indicated their possibility (Quarmby, 2009; and Marrin, 2009a). The likelihood of information being collected on a wildcard event—one that has not been included in the collection requirements—is predicated on it being collected serendipitously (Wirtz, 2009). This challenge reinforces the importance of the application of imagination within the CISC Sentinel Watch List approach.

CISC argues that its NCIRs are based on the analysis of criminal markets not criminal entities (see also all CSIS sample documents). Analysis of CISC outputs, including strategic intelligence and information products, revealed that the NCIRs focus on both criminal entities and markets. In adopting the sentinel indicators and warnings system CISC has made the assumption that collection assets operate in the same manner as those in the national security community (Kahn, 2009). CISC has not dealt with the reality that—unlike the collection assets in national security—most law enforcement collection assets are already oversubscribed in supporting day-to-day law enforcement activities (Sheptycki, 2009).

4.2.6 Intelligence and Policy

CISC reports state that the CCIM promotes the development of Canadian collective knowledge on OC that '*supports the development of municipal, provincial and national strategies that help law enforcement prevent, disrupt and dismantle organized crime*' (CISC, 2008). In implementing this model the Canadian law enforcement intelligence community has adopted the position that OC prevention and disruption sits within the police and law enforcement purview (Tusikov and Fahlman, 2009). Canadian strategic law enforcement, through the CISC membership model, limits their support for policy development processes to those which relate directly to law enforcement and policing organisations (UNODC, 2010; and Pythian, 2006). More specifically, CISC intelligence doctrine argues that category one and two CISC members are the primary strategy development and delivery components for Canadian national OC and TOC policy (CISC, 2007, 2008, 2008, 2009, 2010, and 2011). This model has a divisive impact on Canadian whole-of-government policy and strategy development. In particular the intelligence and policy relationship prevents non-law enforcement agencies from actively contributing information to strategic intelligence. More fundamentally, CISC's theoretical perspective may prevent the alignment of whole-of-government policy (Hunt, 2005).

CISC and the CCIM clearly articulate that law enforcement is the primary client for CISC strategic intelligence (CISC, 2011). The integration of law enforcement strategies at a whole-of-government level is identified as a secondary CISC goal (Flood and Gaspar, 2009). The relationship between the CCIM, CISC and the Canadian Federal Government is illustrated in CISC's description of its support role for organised crime policy:

> *The CCIM serves as the foundation for CISC intelligence products and services that assist senior government officials with policy development, and helps raise public awareness about the nature and extent of the Canadian organized crime threat.* (CISC, 2008)

National security strategic intelligence organisations take an active role in supporting national policy development and problem solving in Canada, the US, the UK, New Zealand (NZ) and Australia (Kahn, 2009). In comparison, CISC is primarily concerned with law enforcement and policing rather than problem solving or policy development (Innes, 2006). The traditional separation of powers principal, which operates in Commonwealth countries, may explain the doctrinal distance between law enforcement and national policy development (Sheptycki, 2009). The challenge for strategic intelligence in law enforcement in the whole-of-government policy space is resolving how to participate in the public policy development process, whilst maintaining the separation of powers doctrine (Sheptycki, 2009). CISC's approach of separating strategic intelligence from government and law enforcement may prevent the alignment of both policy and strategy.

Law enforcement's strategic intelligence offers a potential way forward for the integration and alignment of proactive whole-of-government TOC policy (McDowell, 2009). Strategic intelligence support to government offers a first step in law enforcement engaging early in the whole-of-government policy development cycle (Sheptycki, 2009). The ultimate theoretical aim of this approach would be the full integration of strategic decision-making from the whole-of-government level to the tactical policing level. In providing strategic intelligence to both whole-of-government policy development and law enforcement strategy development attention must be paid to the separation of powers and the possible politicisation of both strategic intelligence and law enforcement.

Law enforcement strategic intelligence's relationship with policy and operations is guided by legislation, policy and practice (McDowell, 2009). Law enforcement strategic intelligence is challenged in Canada by additional legislative requirements including the *Canadian Charter of Rights and Freedom Instructions*. Case law on disclosure, *R. v. Stinchcombe*, [1991] 3 S.C.R. 326 specifically highlights these additional law enforcement-specific challenges which clearly indicate that Canadian law enforcement cannot hide behind the veil of secrecy used by national security (Sheptycki, 2009). Canadian law enforcement must expect that its strategic intelligence may, within rather short time frames, be made available for external scrutiny (Gill, 2006).

4.2.7 CISC's Conceptualisation of Strategic Intelligence

CISC defines strategic intelligence as '*a comprehensive and current picture of the scope and direction of criminal activity in order to assist management decision-making and the determination of future action*' (CISC, 2008; p.24). The conceptualisation of strategic intelligence in the Canadian law enforcement community in general, and CISC specifically, borrow heavily from Ratcliffe's ILP theories (see also Ratcliffe, 2002, 2003, 2004a, and 2004b). This is particularly evident in CISC's corporate publications, which regularly make use of Ratcliffe's work; albeit often without direct reference to his publications (see also all CISC sample documents). Analysis of CISC intelligence reporting revealed that Canadian law enforcement make consistent efforts to apply the 3-I Model of ILP. CISC's focus on Ratcliffe's ILP theories has led to an analytical emphasis on the criminal environment at the cost of the contextualisation of the criminal market and its vulnerabilities (Ratcliffe, 2003; and McDowell, 2009).

CISC's use of ILP theories has led to the development of a strong theoretical link in intelligence doctrine between intelligence products and the intended decision-maker (Carter and Carter, 2009). Whether this approach limits the utility of reporting can only be confirmed through more detailed analysis of a wider sample of intelligence reporting. CISC intelligence methodology tends to encourage a single direction, transaction-style relationship between product and decision-maker, which may come at the cost of the development of holistic strategic assessments.

Analysis of CISC strategic intelligence methodology identifies trends in the time series focus of intelligence products. CISC intelligence analysis is undertaken within the conceptual framework that past criminal activities are indicators of future activity (Tusikov and Fahlman, 2009). As a result, CISC intelligence doctrine and practice involves the comprehensive analysis of historical reporting. This analysis of the past is then used by CISC analysts to develop an understanding of the current situation (Tusikov and Fahlman, 2009). The theoretical framework is unlikely to result in an accurate conceptualisation of the crime environment given that research indicates consistently high levels of change in the criminal environment (Gibson, 2009; Vassalo and Case, 1996; Cockayne and Williams, 2009; and Davis, 2007). Much of the collation and analysis undertaken by CISC results in the production of intelligence products that are encyclopaedic in nature, as opposed to anticipatory or predictive. Although not without utility, CISC's encyclopaedic intelligence products that do not contain analysis will be of no more value to clients than a synopsis of facts (McDowell, 2009). The development of proactive TOC policy is reliant on decision-makers receiving predictive and anticipative intelligence (Innes, 2006).

Traditionally, intelligence methodologies and doctrine have been established on a cyclical model: the intelligence cycle (Kahn, 2009). This model is driven by the client through an initial direction phase and continuous client feedback (Herman, 2007). The direction phase in the intelligence cycle is included because of the assumption that intelligence capabilities are unable to collect and analyse information on everything (Laqueur, 2006). The intelligence cycle's direction phase allows the decision-maker to focus their finite intelligence resources and reinforces Herman's (2007) perspective that the customer, as opposed to the process, is '*king*'. Ratcliffe's (2008a) 3-I Model implies the importance of direction through a linkage with decision-making.

CISC makes no reference to the direction phase within their intelligence model. In practice the NTA and NCIRs serve as the direction for CISC's strategic intelligence process (CISC, 2009, 2009a, 2010, 20010a, and 2011). CISC's strategic intelligence capability is in the position where it is providing its own direction. This also means that CISC is setting the Canadian TOC public policy priorities through its strategic assessments. This practice would appear to be in conflict with CISC's underlying strategic intelligence methodology which is client- or action-focused (see also CISC, 2007a, 2008a, 2009a, 2010, 2010a, and 2011).

CISC delineates between OC that operates in and affects Canada from that which has a wider impact (CISC, 2011). This provides CISC's strategic intelligence capability with a wider geographic focus to include the whole supply chain for illicit markets. This wider international focus is limited by CISC to include only TOC problems that directly impact Canada (see also all CISC sample documents). In this model CISC strategic intelligence could reasonably make recommendations or assessments that support strategies that displace rather than disrupt TOC.

A common theme within CISC strategic intelligence is the link between KM and intelligence. This could be related to CISC's focus on producing encyclopaedic estimative intelligence. This approach promotes the development of a strategic intelligence capability focused on summarising information on hand within the organisation (Davis, 2007). CISC claims that the primary purpose of its products is to increase awareness (CISC, 2010). In adopting its current methodology many of CISC's intelligence products are focused on summarising information, as opposed to informing clients (see also all CISC sample documents).

The conflicting theoretical nature of the CISC model for strategic intelligence becomes evident in light of its key products. Whilst a wider holistic strategy of integrated harm reduction is sought by CISC its products remain almost wholly in the encyclopaedic intelligence range. CISC intelligence products trend towards using, almost extensively, law enforcement indices (CISC, 2010, 2010a, and 2011). The result is that the awareness that these products provide is based on the collation and analysis of dated data sets. This is not to say that these products do not serve an important purpose, but that to move to a proactive paradigm futures work is needed (Quarmby, 2009; and Kahn, 2009). Proactive futures work attempts to make informed assessments that are future-focused when informing policy and strategy cycles for enforcement activities (Quarmby, 2009). It is important to note that this is not a criticism of CISC approaches. Rather this serves to illustrate the value of challenging the underlying assumptions and theories that inform strategic intelligence models and theories.

Having now completed Part A's exploration and analysis of CISC the chapter will now consider SOCA.

4.3 Part B—Serious Organised Crime Agency

4.3.1 Operating Context

SOCA was established by the UK's *Serious Organised Crime and Police Act 2005* and the *Serious Crime Act 2007*. It is unique in global law enforcement as its role includes more than facilitating law enforcement activities (Flood and Gasper, 2009). Its legislative base directs the prevention and detection of OC, but also includes harm reduction and mitigation. More specifically, SOCA's legislative framework places greater focus on developing knowledge of the problem of TOC and reducing its harmful effects at every level of UK society (Cabinet Office: The Strategy Unit, 2009; and Carter and Carter, 2009). In this model enforcement activity is viewed by SOCA as one of many public policy options.

In establishing SOCA a number of diverse existing organisations were merged (SOCA, 2009). Whilst merging these existing organisations the UK Government directed SOCA to increase the use of intelligence in the delivery of its broad outcome responsibilities (SOCA, 2010a). SOCA was specifically directed by the UK Home Office to embed a '*knowledge culture*' in UK law enforcement (SOCA, 2009). SOCA has sought to achieve the creation of this '*knowledge*

culture' through the dissemination of criminal information and intelligence to its clients (see also Harfield, 2008).

Whilst trying to capture the flavour and substance of contemporary law enforcement trends the UK's legislative direction to SOCA is often ambiguous (SOCA, 2009). Much of this ambiguity can be related to the inconsistent use of terms that lack universally accepted definitions (SOCA, 2009; and Gimber, 2007). This provides evidence of various problems with both the assumptions and methodology that underpin SOCA's development. This is particularly evident with SOCA's use of knowledge, criminal information and intelligence terminology (SOCA, 2010a and 2010b). SOCA's intelligence doctrine indicates there is a difference between information and intelligence but both combine to form a knowledge culture (SOCA, 2010a and 2010b). The conflicting use of intelligence terminology throughout SOCA corporate reports (SOCA sample documents) presents a challenge for this conceptual framework.

In establishing SOCA the UK Government publicly declared that no single organisation could effectively impact the existing scale of OC (SOCA, 2010). This position reinforced the need to develop integrated TOC strategies across the whole of the UK Government as well as the private sector. SOCA and the UK Government recognise that the development of a successful counter TOC strategy is predicated on greater understanding of the threat and improved strategy coordination (see also SOCA, 2010a and 2010b; and Harfield, 2008). Subsequently, SOCA has a diverse role that includes policy coordination, criminal information, intelligence, knowledge and operational activities (McGarrell, Freilich, and Chermak, 2007).

4.3.2 Role and Structure

SOCA was fully functional on 1 April 2006 and represents the youngest organisation being considered by this research (SOCA, 2009). SOCA is a non-departmental body of the UK's Home Office. The agency claims to be '*an intelligence-led law enforcement agency with harm reduction responsibilities'* (SOCA, 2009). The UK Government has socio-geographically defined '*harm*' to include '*damage caused to individuals, communities, society, and the UK as a whole by serious organised crime*' (SOCA, 2009).

For SOCA, successful achievement of its goals is predicated on establishing collegiate partnerships that transcend the classic law enforcement agencies to include a range of private and public sector partners (SOCA, 2010a and 2010b). In comparison to CISC, SOCA is an intelligence-focused national law enforcement agency, with wide powers that extend beyond traditional law enforcement (Verfaillie and Beken, 2008).

SOCA strategically manages its activities through a strategic imperative and outcome framework (SOCA, 2010a and 2010b). The strategic imperatives, as outlined in Table 4.1, appear as a mixture of strategic visions of performance (Imperatives One, Three and Four) and strategic delivery statements (Imperatives Two and Five). The strategic imperatives are

couched in qualitative terms, which run contrary to traditional quantitative performance measurement used in law enforcement (Collier, Edwards and Shore, 2004).

Table 4.1 — SOCA's Strategic Imperative Framework (Source: SOCA, 2010a and 2010b)

Imperative	Description
Strategic Imperative 1	*To build knowledge and understanding of serious organised crime, the harm it causes and the effectiveness of different responses.*
Strategic Imperative 2	*To tackle criminal finance and profits, including through asset recovery.*
Strategic Imperative 3	*To increase risk to serious organised criminals operating against the UK, through both traditional means and new ones.*
Strategic Imperative 4	*To collaborate with partners in the UK and internationally to maximise efforts to reduce harm, and provide agreed levels of high quality support to our operational partners and as appropriate seek theirs in return.*
Strategic Imperative 5	*To build our capability to make a difference.*

Analysis of SOCA's strategic imperatives reveals that all are strongly underpinned by the need for intelligence. The strategic and operational outputs of non-intelligence strategic imperatives rely on the effective production of strategic and operational intelligence products. The interrelated nature of the SOCA strategic imperatives is highlighted in Table 4.2. Interplay between strategic imperatives is evidence of the importance of synchronising intelligence products (Davis, 2007).

The argument for synchronising intelligence and decision-making is related to the need for intelligence to be timed to influence specific decisions in strategy setting (Davis, 2007 and 2009). Davis (2007) argues that as law enforcement strategy setting tends to be undertaken cyclically, intelligence support must be synchronised with planning processes to influence decision-making effectively. To achieve its strategic imperative framework SOCA's strategic intelligence production must be synchronised with the appropriate decision points in its clients' planning processes. To be fully effective, strategic intelligence support to strategy and policy staff should be synchronised with strategy and policy development cycles.

SOCA reinforces the importance of the collation of criminal information relating to OC by making it a strategic imperative (Strategic Imperative One) (SOCA, 2011). SOCA's conception of the criminal information role is not limited to the development of a specific IT system. In comparison with CISC, SOCA's criminal information role is discussed in terms of impacts on or intent of the collation process (SOCA, 2007, 2008, and 2009; Klerks, 2007). SOCA focuses this body of criminal information work on the integration of information holdings.

Table 4.2 — SOCA's Strategic Imperative Framework Analysis
(Source: SOCA, 2010a and 2010b)

Imperative	Measure of Connectivity				
Strategic Imperative 1	**H**	**H**	**H**	**H**	
Strategic Imperative 2	**L**	**M**	**H**		**M**
Strategic Imperative 3	**M**	**M**		**H**	**H**
Strategic Imperative 4	**M**		**L**	**L**	**H**
Strategic Imperative 5		**L**	**L**	**L**	**L**
	Strategic Imperative 5	Strategic Imperative 4	Strategic Imperative 3	Strategic Imperative 2	Strategic Imperative 1

Relationship Indicator	Description
H	*A high level of interconnectivity whereby the achievement of an outcome or imperative is dependent on the other.*
M	*There is a linkage between the output and imperative but it is a contributing factor rather than being a dependant factor.*
L	*There is some form of organisational connectivity but it is not a major contributor to the achievement of the strategic imperative.*

SOCA's corporate reporting and doctrine does not provide a specific definition for '*OC information*' (Verfaillie and Beken, 2008). Klerks (2007) argues that '*OC information*' can only be categorically defined as such after it has been collated with all-source intelligence and information. SOCA's corporate publications imply that information is only OC information when it is categorically linked with OC (SOCA, 2010a and 2010b). This '*first level analysis*' allows information to be contextualised as relating to OC (Verfaillie and Beken, 2008). In this conceptual construct the development of a dedicated OC IT system may not be practical.

In addition to the operation of strategic imperatives, SOCA supports an outputs framework which articulates what the strategic imperatives are to achieve. Table 4.3 provides the SOCA Outputs Framework descriptors for each Output.

Table 4.3 — SOCA's Outputs Framework
(Source: SOCA, 2010a and 2010b)

Strategic Imperative 1 - Outputs	
Output	**Description**
Output 1	*A level of knowledge and understanding of serious organised crime as it affects the UK, and of those persons of interest causing the greatest harm.*
Output 2	*Levels of coverage prioritised in tiers, for the most serious criminals affecting the UK a level of knowledge and understanding of serious organised crime as it affects the UK, and of those persons of interest causing the greatest harm.*
Output 3	*SOCA Logs that capture qualitative and quantitative evidence of impact from SOCA activity.*
Output 4	*Establishment of a central system to support receipt of data (from partners) and match this across existing SOCA data sets.*
Output 5	*Development and implementation of criteria for identifying new criminals.*
Output 6	*An evidence-based understanding of 'what works' tactically (in terms of advancing operations and achieving operational objectives) and strategically (in terms of reducing harm).*
Output 7	*Production of a steady flow of well-informed assessments and other reporting with evidence that these are proving genuinely useful to customers.*

Table 4.4 provides an analysis of the interrelationships between SOCA's Outputs and Strategic Imperatives framework. Strategic Imperatives Four and Five provide important foundations for all of the organisation's work but few outputs are related to their achievement (see Table 4.3 and 4.4).

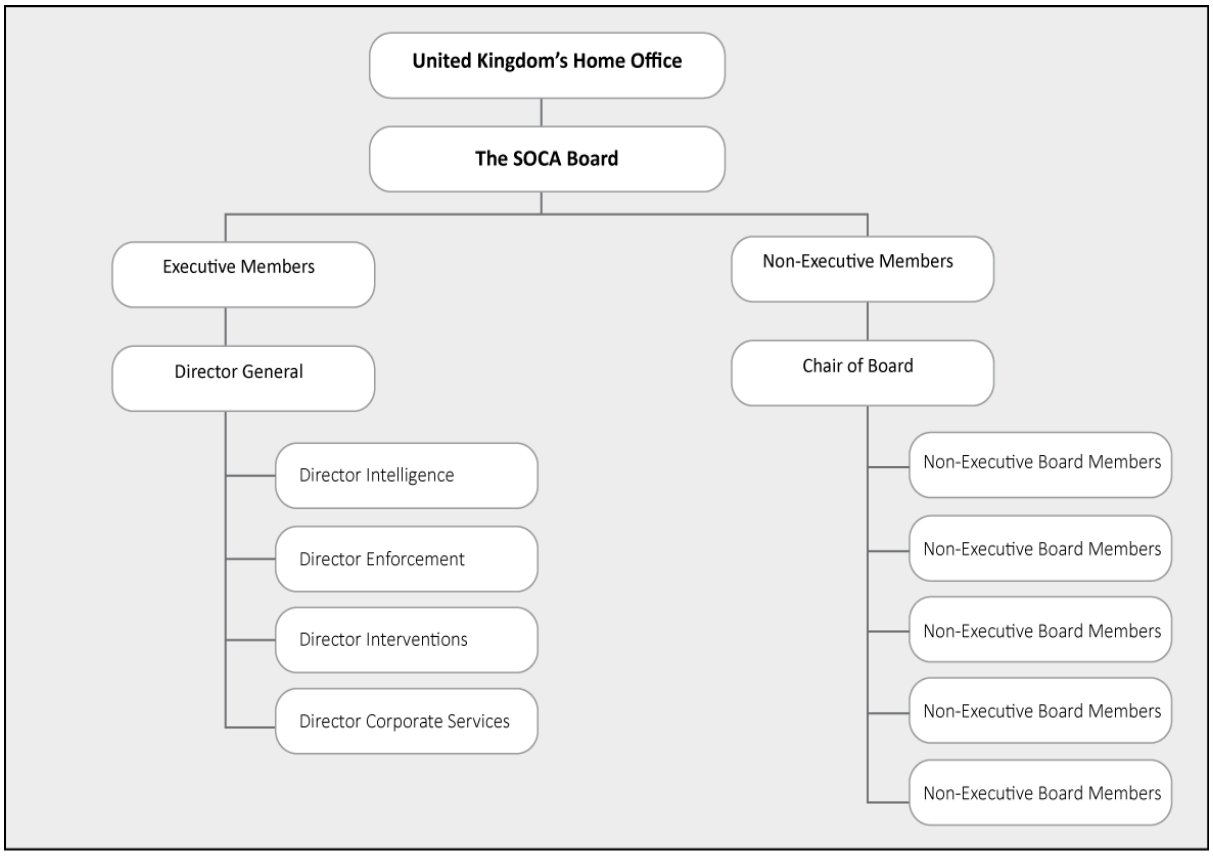
Table 4.4 — Analysis of the Association between SOCA's Outputs and Strategic Imperatives Frameworks
(Source: SOCA, 2010a and 2010b)

Strategic Imperative 1 Outputs	**Measure of Connectivity**				
Output 1	**H**	**H**	**H**	**H**	**H**
Output 2	**H**	**H**	**H**	**M**	**L**
Output 3	**H**	**H**	**H**	**M**	**H**
Output 4	**H**	**H**	**H**	**M**	**L**
Output 5	**H**	**H**	**H**	**M**	**L**
Output 6	**H**	**H**	**H**	**M**	**H**
Output 7	**H**	**H**	**H**	**M**	**L**
	Strategic Imperative 1	Strategic Imperative 2	Strategic Imperative 3	Strategic Imperative 4	Strategic Imperative 5
Relationship Indicator	**Description**				
H	*A high level of interconnectivity whereby the achievement of an outcome or imperative is dependent on the other.*				
M	*There is a linkage between the output and imperative but it is a contributing factor rather than being a dependant factor.*				
L	*There is some form of organisational connectivity but it is not a major contributor to the achievement of the strategic imperative.*				

Surprisingly SOCA's annual reporting has focused on operational outcomes (SOCA, 2009 and 2010). In the knowledge and information section of the annual reports (Strategic Imperative One) performance reporting is focused on targets and activities which were tactical in nature (SOCA, 2009). This tactical performance focus may prevent SOCA from truly understanding TOC at a macro level (Edwards and Levi, 2008). This approach to performance reporting is at odds with SOCA's strategic imperatives which are focused on achieving market impacts rather than traditional law enforcement performance measures.

SOCA is managed and led by a management board that is comprised of mainly non-executive members (SOCA, 2011). Its management board members are drawn from various public and private sector organisations. The management board structure was developed by the UK Government to assist in ensuring SOCA develops holistic strategies that move beyond the limitations of an enforcement focus (Sheptycki, 2007). Figure 4.7 outlines the current structure of the SOCA Board.

Figure 4.7 — SOCA's Board Structure
(Source: SOCA, 2010a and 2011)



SOCA is divided into four functional directorates (SOCA, 2009). Specialist members are often drawn from the SOCA directorates in a task force or team approach to address specific problems, or undertake casework or operational tasks (Ball, 2007). The four directorates are:

- **Intelligence.** The intelligence directorate is responsible for the collection and analysis of information from both overt and covert sources (SOCA, 2009). The intelligence directorate focuses on generating an understanding of OC as its operational outcome, rather than the production of intelligence reports. In this theoretical model the outcome of developing an understanding of OC is linked with the goal of impacting operational activity (SOCA, 2009). This theoretical framework moves SOCA intelligence from a passive to active role. Indicatively the SOCA algorithm for understanding would be intelligence plus other sources of information and analysis (SOCA, 2009 and 2010).

- **Enforcement.** The enforcement directorate provides SOCA's operational capability for responding to OC (SOCA, 2009). This directorate has a traditional approach to investigation with a strategic approach to selecting targets that impact on criminal business and conspiracies. Since 2006 the enforcement directorate's breadth of expertise and response options have significantly increased (SOCA, 2011). During this time methodologies have increasingly focused on disruption outcomes and strategic intent rather than specific seizures and arrests (SOCA, 2011; and Carter and Carter, 2009).

- **Intervention.** The intervention directorate works in the harm reduction work space (SOCA, 2010). This directorate specifically works on making the UK a less attractive market to OC (Carter and Carter, 2009). It utilises a number of approaches and partnerships that generally focus on criminal assets. The branch's operations are based on theories that profit is the predominate motivator for TOC in the UK. Through asset seizure SOCA argues that it increases risks for criminal enterprises which subsequently impacts on the profit drive for criminal enterprises (see also SOCA sample documents). The intervention directorate also houses the international arm of SOCA.

- **Corporate Services.** This directorate supports and develops SOCA's capabilities.

The UK Government has set SOCA the goal of transcending jurisdictional barriers (*Serious Organised Crime and Police Act 2005* and *Serious Crime Act 2007*). To achieve this goal SOCA undertakes its work in the context of third generation link analysis and networked operational activity (Turbiville, 2005). SOCA aims to destabilise criminal networks by attacking the motivations for TOC, as well as the key players within networks (SOCA, 2010 and 2011). This is an adaption of traditional enforcement approaches that are focused on tactically targeting networks and criminals (Edwards and Levi, 2008). In adopting its operating model SOCA uses a rational actor conception of OC (Gibson, 2009; Vassalo and Case, 1996; Cockayne and Williams, 2009; and Davis, 2007). SOCA's operating framework seeks to exploit criminal vulnerabilities in order to influence the decision-making of TOC actors (SOCA, 2007, 2008, 2009, 2011, and 2011a). SOCA's strategic intelligence is dually focused on identifying and categorising harm as well as finding criminal vulnerabilities for law enforcement and public policy exploitation.

Rather than being a dedicated strategic intelligence organisation SOCA acts as a criminal harm reduction and risk mitigation service (SOCA, 2009b, 2009c, 2010, 2010a, 2010b, 2010c, 2011, and 2011a). In this perspective SOCA is far more than a law enforcement agency. SOCA's strategy makes intelligence responsible for assisting clients with the transformation of criminal information and intelligence into holistic organisational strategy (SOCA, 2009, 2010, and 2011). SOCA develops and implements networked strategic policies that are focused on criminal vulnerabilities supported by a cost benefit analysis (SOCA, 2009, 2010, and 2011).

Although SOCA links its work with ILP its application of intelligence is far more complex than ILP models (Ratcliffe, 2009). More specifically the SOCA program is about achieving a predetermined strategic intent rather than targeting prolific offenders or geographic locations (SOCA, 2009, 2010, and 2011). In this way the application of third generation network targeting, using intelligence analysis, is a more pertinent descriptor for its work (Turbiville, 2005).

4.3.3 SOCA's Conceptualisation of TOC

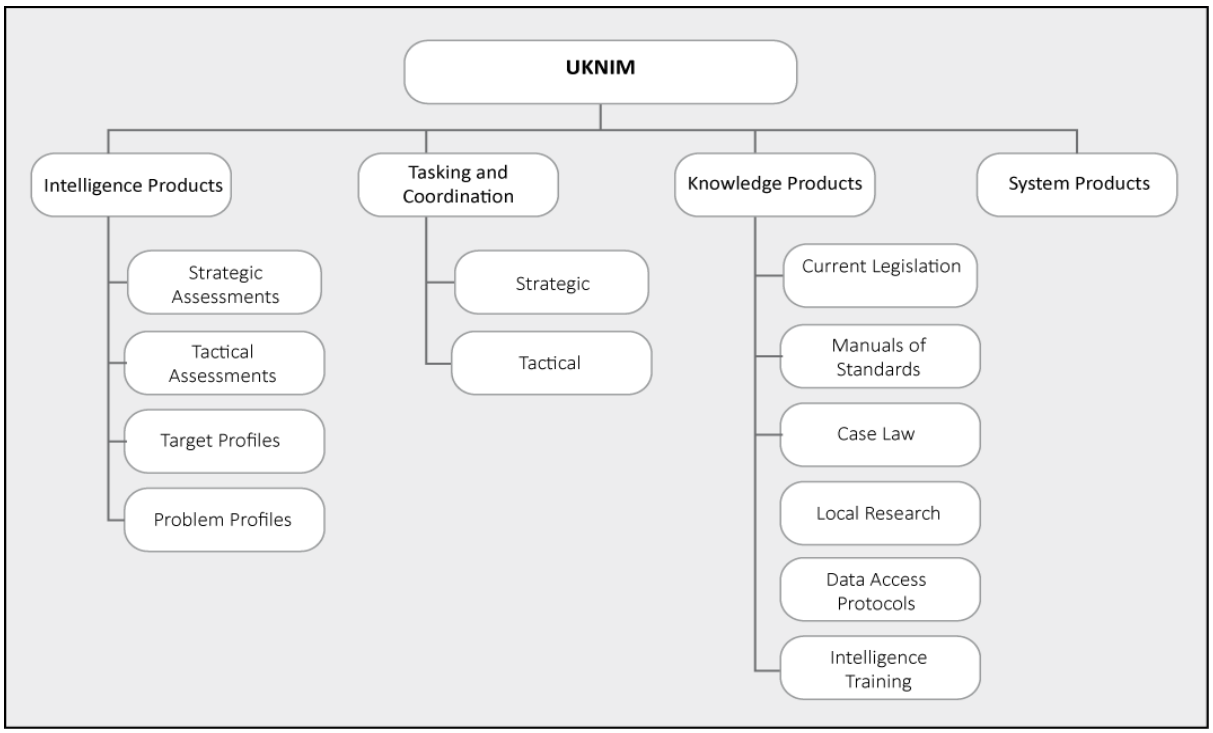
SOCA's conceptualisation of OC is much less rigid than that used by CISC. SOCA defines OC as '*those involved, normally working with others, in continuing serious criminal activities for substantial profit, whether based in the UK or elsewhere*' (2009). SOCA conceptualises OC from a holistic whole-of-market harm perspective (SOCA, 2007, 2009a, 2010, and 2011b). The whole-of-market perspective denotes analysis that considers all harms and then contextualises them against each other before providing a final assessment. With this OC model SOCA operationalises its activities, including intelligence reporting, at a criminal organisation level through the deconstruction of criminal incidents and information (SOCA, 2009, 2010, and 2011).

SOCA has formally acknowledged that the scale of serious and organised crime affecting the UK has surpassed law enforcement's traditional response mechanisms (SOCA, 2011b). Even SOCA's recent trends in cash and assets seizure are surpassed by reported proceeds of crime (SOCA, 2011b). More specifically SOCA strategic intelligence reporting has indicated that traditional responsive law enforcement measures are not enough on their own to significantly impact on international criminal conspiracies (SOCA, 2011 and Joutsen, 2005). SOCA has used third generation network intelligence to drive legislative changes that widen the scope of the powers and operational strategies available to law enforcement (see also Flood and Gaspar, 2009). SOCA has sought to integrate these methods into a non-traditional policing response to OC that, in terms of impact for example on the cocaine market, have been proven to work (SOCA, 2011a).

4.3.4 SOCA's Intelligence Model

The UK National Intelligence Model (UKNIM) is a national law enforcement business model based on ILP theories (Flood and Gaspar, 2009). More specifically it is a multi-tiered system that is focused on information collection and enforcement prioritisation (Christopher, 2004). The model provides for the standardisation of a range of intelligence processes and outputs across the UK law enforcement community (Flood and Gaspar, 2009). Figure 4.8 provides a conceptual map of the UKNIM. The model is structured around regular meetings between law enforcement agencies and organisations which emphasise three key factors: priorities, resources and results.

Figure 4.8 — UK National Intelligence Model
(Source: SOCA, 2008)



'*Priorities*' in the UKNIM relate to the outcomes of task prioritisation decision-making. The decision-making process is based on the understanding of crime and non-crime issues generated from law enforcement's collection and analysis of information and intelligence (SOCA, 2008). The UKNIM is conceptually focused on providing policy and strategy decision-makers with an understanding of their operating environment so that they can identify, endorse and disseminate priorities to all UK law enforcement and regulatory agencies. In practice the UKNIM uses tactical methods such as repeat offender and geographic targeting to guide organisational priorities (Flood and Gaspar, 2009). The SOCA model calls for the use of harm assessments to prioritise law enforcement strategies and policies (Grieve, 2004).

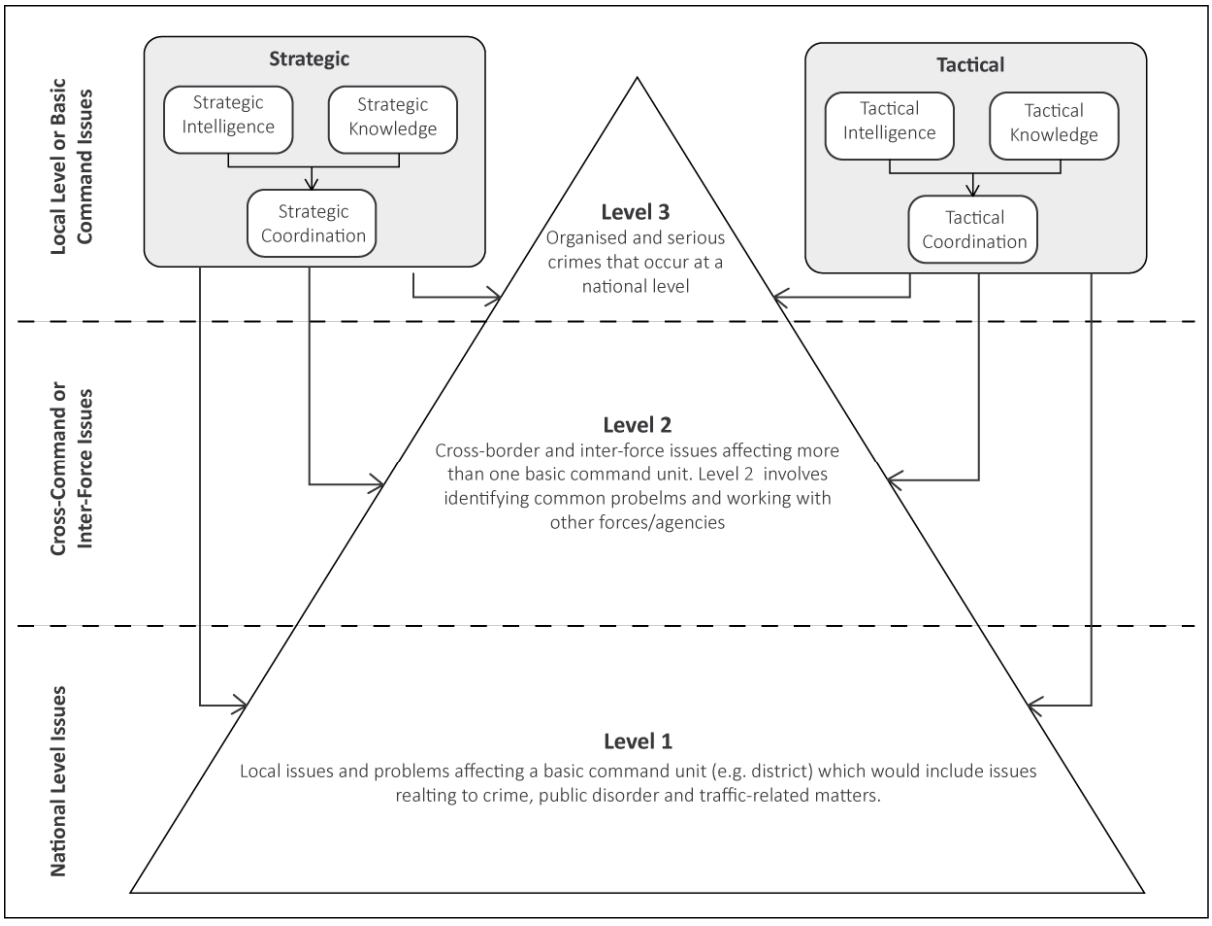
'*Resources*' relate to the allocation of finite law enforcement resources based on identified priorities (SOCA, 2008). UKNIM decision-makers are responsible for approving priorities based on policy and strategy recommendations. Policy and strategy developers make their recommendations to decision-makers based on intelligence and criminal information provided by the UKNIM and its law enforcement agencies. This methodology appears to have been established on a threat-based conceptualisation of crime, as opposed to the harm-focused approach used by SOCA (Kirby and McPherson, 2004; and Flood and Gaspar, 2009).

Within the UKNIM '*results*' relate to the evaluation of tasked activity, with a focus on using such information as a source of future intelligence (Christopher, 2004; and Carter and Carter, 2009). This methodology is underpinned by the argument that performance relates to successful planned activities. This approach is predicated on the proposition that tactical activities, such as arrests and seizures, are adequate measures of impact on crime (Carter and Carter, 2009). In contrast the SOCA intelligence model appears to focus on identifying a strategic impact (such as increasing the price of cocaine) and then measuring the success of operations based on the strategic situation at the end of a given reporting period (Carter and Carter, 2009; and SOCA, 2010).

One of the important differences between the UKNIM and SOCA's intelligence model is the UKNIM's separation of analysis from intelligence products (Carter and Carter, 2009). Analysis in the context of the UKNIM is undertaken by specialist intelligence inputs (Kirby and McPherson, 2004). The UKNIM specifies the different types of analysis to be undertaken and defines these processes as key stages in the transformation of information to intelligence. What is not clearly stated is how intelligence analysis is integrated or prioritised (Carter and Carter, 2009). In the UKNIM intelligence products are the outcome of the analytical process (Kirby and McPherson, 2004). These intelligence products are defined as strategic or tactical based on an assessment (by the author) of both the subject matter and intended audience; these are focused on decisions, rather than knowledge, and as such are associated with the prioritisation of targets and resources (Kirby and McPherson, 2004). In comparison, SOCA's intelligence model is focused on identifying and achieving law enforcement outcomes (Carter and Carter, 2009).

As highlighted in Figure 4.9 the UKNIM defines issues as strategic or tactical based on a geographically defined framework, as opposed to a harm or threat-grounded model (Christopher, 2004). In this methodology a problem is identified by an analyst then categorised by the way it crosses geographic or organisational jurisdictions (Kirby and McPherson, 2004). In comparison, the SOCA model defines issues based on harm and priorities (Carter and Carter, 2009). In the SOCA model an issue is defined by a decision-maker who has been informed by knowledge, as well as strategic and tactical intelligence.

Figure 4.9 — Strategic and Tactical Intelligence in the NIM
(Source: Flood and Gaspar, 2009)



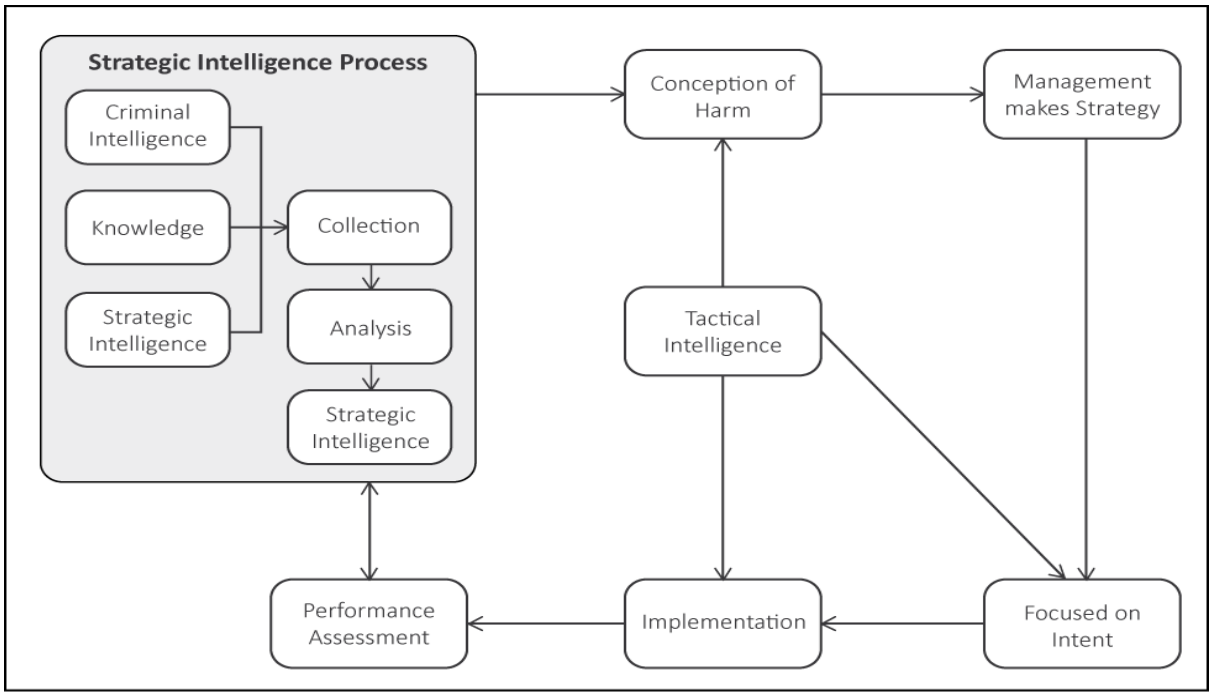
The SOCA intelligence model contrasts heavily with the UKNIM at the theoretical level. The SOCA intelligence model does not focus on either the UKNIM's traditional law enforcement methodologies or ILP's volume and crime analysis (SOCA, 2009, 2010 and 2011). An assessment of harm is used as a prioritisation system that informs SOCA's holistic conception of TOC. This harm approach is also used in SOCA's strategy development methodology. In practice, rather than being interested in numerical counts of seizures or arrests SOCA is focused on reducing overall harm from OC (Carter and Carter, 2009; and SOCA, 2010). A significant strategy for delivering this result has been the implementation of measures that increase the risks for OC operating in the UK (Carter and Carter, 2009; and SOCA, 2010).

SOCA appears to utilise a modified version of Sparrow's (2008) harm theories to underpin its work. Sparrow's (2008; pp. 7-12) harm theories argue that crime, amongst other problems, could be more effectively dealt with by '*focussing on the bad or harms*' as opposed to focusing on regulation and enforcement. '*The bad or harms*' are the negative outcomes to human security generated by the activities of TOC groups. By concentrating on harm an organisation can identify opportunities for '*surgically efficient and effective interventions*' (Sparrow, 2008; pp. 7-12). Whilst Sparrow's (2008) theory calls for a macro picture of harms, supported by extensive micro analysis, the SOCA approach focuses on identifying strategic issues (SOCA, 2011, 2011a, and 2011b). SOCA's modified approach moves quickly from a macro market perspective to a micro target or threat perspective without sufficient or linked operational-level analysis (Carter and Carter, 2009). The limited links between intelligence and strategy development quickly dilute efforts to sabotage harms.

The UK Government considers SOCA to be a part of the national security framework (SOCA, 2011). This placement is predicated on the UK Government's acceptance of the theoretical position that OC is a threat and risk to national security (Best, 2010). This decision is most likely associated with the dated perception of OC as a conspiracy undertaken by '*others*': people outside of society. This placement of SOCA within the national security apparatus appears to have occurred despite the organisation's adoption of a human security theoretical model for intelligence (Sheptycki, 2009). Rather than using a political view point of the world and an adversarial approach to OC, SOCA conceptualises its strategy in a harm context (Carter and Carter, 2009). In this theoretical approach SOCA conceptualises the problem of TOC as the need to provide citizens with security to keep them safe from harm.

Figure 4.10 maps SOCA's conceptual framework for the interaction of strategic and tactical intelligence with strategy development (SOCA, 2011a). Although strategic intelligence is a primary input in strategy development SOCA's model accepts that there are other inputs as well (SOCA, 2007, 2008, 2009, 2010, 2011, 2011a, and 2011b). The SOCA intelligence model and supporting methodologies operate as a decision-support model (Carter and Carter, 2009) as opposed to a business model, as argued for in the UKNIM and ILP models (Carter and Carter, 2009; and Sheptycki, 2009).

Figure 4.10 — Conceptual Framework for the Interaction of Intelligence and Strategy Development (SOCA, 2009)



At the strategic level SOCA conceptualises intelligence as the quantitative description of the harm generated by TOC (SOCA, 2010; and Carter and Carter, 2009). In adopting this methodology SOCA argues that strategic intelligence also provides a benchmark for measuring future performance (SOCA, 2011, 2011a, and 2011b). SOCA's strategic intelligence provides senior decision-makers with a macro understanding of the criminal environment and how TOC impacts on human security. Senior government or policy decision-makers are expected to then use this understanding to develop a vision of the desired outcome, impact or end state. A strategy for achieving the outcome is then developed, primarily by law enforcement and policy, with intelligence and knowledge support (SOCA, 2007, 2008, 2009, and 2011b).

Detailed analysis of SOCA's corporate documents and other data sources failed to identify any real direction phase that commences SOCA's strategic intelligence process (Carter and Carter, 2009). SOCA's linkages with the national security community could indicate that strategic direction originates from '*adversary*' analysis, including risk assessments (Carter and Carter, 2009). This would appear to be counter to the human security approach espoused in SOCA's corporate documents and reports (SOCA, sample documents). Although SOCA promotes human security as its driving force it would be naive not to consider that media and politics do not impact upon its organisational decision-making (see also Carter and Carter, 2009).

The SOCA intelligence model introduces the concepts of understanding and knowledge as fundamental intelligence outputs (Carter and Carter, 2009). SOCA's intelligence doctrine argues that the return on intelligence investment for clients is increased understanding. In this construction, understanding is presented in a manner consistent with an organisational end state. But the changing nature of OC most likely means that the end state is seldom truly reached. SOCA's intelligence processes provide an understanding of the basic nature of the environmental context as well as a snapshot of OC at a given time and place (Carter and Carter, 2009). Comparatively SOCA conceptualises knowledge as a kind of informed information that also feeds into the intelligence process (see also SOCA sample documents). Rather than being a decision-making methodology—as proposed by Dean and Gottschalk (2007)—SOCA perceives knowledge as a decision-support input that is also encapsulated in intelligence analysis and production.

For example, with regards to the UK cocaine market, SOCA has used strategic intelligence to understand the market dynamics from source to street (SOCA, 2011). With this understanding strategic intelligence analysts and policy staff have worked together to develop specific and prioritised strategies (Flood and Gaspar, 2009). These strategies are not directed to specific seizure goals, nor the targeting or disruption of specific networks or threats. Instead these strategies have been developed to achieve predetermined harm reduction goals (Turbiville, 2005). More specifically, SOCA has sought to achieve an increase in the wholesale and retail price of cocaine in the UK (SOCA, 2011). SOCA argues that this price increase will reduce the status of cocaine as a recreational drug of choice in the UK. Through a price increase SOCA seeks to drive down market demand and thus reduce the harms caused by this illicit market to UK society (Flood and Gaspar, 2009 and SOCA, 2011).

SOCA defines intelligence as '*information that is received or collected to answer specific questions on who, what, where, when, how and why organised crime operates in the UK*' (2009). This formal intelligence definition is inconsistent with the organisation's conceptual framework for intelligence and its practical application (SOCA, 2011, 2011a, and 2011b). In advocating its definition of intelligence SOCA does not articulate the important role analysis plays in the transformation of information into intelligence (Collier, 2006; and Davis, 2009). SOCA's definition of intelligence emphasises the importance of the client–product linkage rather than impact (Davis, 2006). This relationship is specifically articulated through the use of an interrogative question and answer intelligence model (Kahn, 2009).

In the SOCA intelligence model, intelligence is perceived as being comprised of, but different than, criminal information (Flood and Gaspar, 2009). Whilst SOCA documents identify the presence of a transformative process they do not specifically discuss its stages (see also SOCA sample documents). SOCA intelligence doctrine dictates that information collected for a purpose still remains information unless it is collated and contextualised with other information (SOCA, 2009). This is partially evident in statements such as:

> *The directorate researches and develops new techniques to identify vulnerabilities within criminal markets and counter the evolving tactics of organised crime.* (SOCA, 2009; p. 24)

SOCA utilises an intelligence cycle to describe the transformation of information into intelligence. SOCA's intelligence directorate argues that intelligence is the end product of a detailed analytical process as opposed to the overt, covert or clandestine collection of data (SOCA, 2009). This appears to be in conflict with many of the American-centric national security definitions of strategic intelligence (Kahn, 2009; Davis, 2009; and Sheptycki, 2009), which often link covert collection activities with intelligence (Davis, 2009). This difference supports Sheptycki's (2009) observations of the unique nature of law enforcement intelligence. Since the beginning of World War Two national security intelligence definitions have been dominated by an American-centric analysis of intelligence community structures (Davis, 2009). In comparison, SOCA has chosen an approach to intelligence that is focused on a process and a product rather than an agency or organisation (SOCA, 2009).

4.3.5 Intelligence Products

The intelligence directorate has both strategic and operational roles within and external to SOCA (SOCA, 2011). At the strategic level the directorate is responsible for the production of a harm assessment of OC within the UK. This assessment looks at the impact of OC at various socially and geographically defined locations. SOCA recognised that many of the criminal markets, harms and threats faced by the UK are part of a chain that extends well beyond its geographic borders (Flood and Gaspar, 2009). As such SOCA places a great deal of analytical emphasis on developing an understanding of the sources and drivers of threats and harms.

A national threat assessment of OC within the UK is undertaken annually. This process allows SOCA to develop an understanding of the criminal threats and markets. With this understanding SOCA—and its clients—make strategic decisions on organisational and target priorities in the form of strategic intent (Flood and Gaspar, 2009). This is translated to the operational level through the production of target packages focused on achieving one or more operational effects: disruption, detection, prevention and investigation (SOCA, 2011). Throughout SOCA's corporate documentation there are indications that intelligence analysis of criminal enterprises is focused on identifying vulnerabilities (SOCA, 2011, 2011a, and 2011b).

4.3.6 Intelligence and Policy

The interface between SOCA's strategic intelligence and the Home Office's whole-of-government policy staff is complex. SOCA's organisational methodology results in strategic intelligence and policy interfacing at a number of levels and stages (see also SOCA sample documents). Strategic intelligence in SOCA regularly integrates data from policy and operational knowledge products in the development of strategic intelligence reports (SOCA, 2008, 2009, 2010, and 2011). Strategic intelligence, policy and operational decision support inputs are integrated into the decision-making process for policy development in the Home Office and SOCA Executive (see also SOCA sample documents).

The SOCA intelligence and policy interface does not comply with either the UKNIM business rules or ILP theory (Ratcliffe, 2009 and Best, 2010). SOCA's intelligence and policy interface has intelligence placed as a guide to strategy setting, rather than a decision-making methodology (see also SOCA sample documents). Strategic intelligence acts as a primer and recommendation mechanism for the strategy and policy development process (Carter and Carter, 2009). In the SOCA model law enforcement intelligence is much more integrally involved in the decision-making process than national security or military intelligence (Sheptycki, 2009).

SOCA's strategic intelligence is focused on assisting policy professionals to develop strategic intent, impact statements and end states. Over the short life of SOCA the line between strategic intelligence and policy has been significantly blurred by this intelligence model (see also SOCA sample documents). This is evidenced by the increased involvement of SOCA intelligence staff and their products in generating TOC policy options for the UK Home Office (Carter and Carter, 2009; and Best, 2010).

One of the innovative policy approaches that illustrates the close relationship between intelligence and policy in SOCA is its strategy for target hardening (see also SOCA sample documents). SOCA's policy and strategic intelligence capabilities have worked together to develop a proactive strategy to disrupt and prevent TOC. This strategy is supported by strategic intelligence's production of UK vulnerabilities assessments from a law enforcement and TOC perspective (Carter and Carter, 2009). UK Home Office policy staff work with these vulnerabilities to develop policy initiatives to make the UK a less attractive target for TOC. The focus of this particular policy work is integrated whole-of-government strategies that involve private sector partners (SOCA, 2007, 2008, 2009 and 2010). This type of strategy, if executed correctly, is an innovative approach that extends TOC policy beyond the limits of traditional law enforcement methods for harm reduction.

The Home Office's (SOCA, 2011) creation of a body to provide strategic oversight of SOCA may add further complexity to the strategic intelligence–policy relationship. One of the aims of this new oversight is the establishment of a body to coordinate the assessment of the TOC threat to the UK, and integration of subsequent policy responses (SOCA, 2011). The UK Government's separation of intelligence and policy may result in an inadvertent move towards an adversarial system of responding to TOC that mirrors that used for national security issues (Sheptycki, 2009).

4.3.7 Conceptualisation of Strategic Intelligence

A range of approaches were utilised to analyse SOCA's strategic intelligence products and services. SOCA's strategic intelligence theoretical perspective was analysed using the predominate market, threat and harm perspectives of TOC (Carter and Carter, 2009). SOCA's overall integration of its various intelligence products and services was also analysed. This analysis revealed that SOCA's strategic intelligence methodologies are focused on achieving strategic impacts on TOC through harm reduction strategies (see also Sparrow, 2008). As a result, SOCA's work begins and ends with a dual focus on market and harm assessment (see also SOCA sample documents).

SOCA's strategic intelligence reporting and product regime is primarily concerned with the production of current and encyclopaedic intelligence. An analysis of the content and purpose of SOCA intelligence products reveals that these products also have a strong estimative focus (SOCA, 2011a, and 2011b). SOCA intelligence achieves this estimative focus by adopting a methodology that firstly describes what is known and how it is known. The reports then describe the remaining picture of harm or criminality through estimations, based on historical or current reporting. These reports provide assessments of OC weaknesses that can be exploited by law enforcement policy and planning staff (Carter and Carter, 2009). SOCA's proactive futures intelligence is integrated with operational and tactical intelligence reporting. This integration is primarily achieved through a target focus that is concerned with the ongoing monitoring of known offenders (the High Volume Operating Model) (SOCA, 2010). The High Volume Operating Model (HVOM) was developed to manage the known organised crime targets in the UK and manage proportionate responses to the threat they pose. The HVOM aligns well with the UKNIM but its offender focus makes it more operational than strategic in nature (SOCA, 2010).

The majority of SOCA's operational and tactical work is focused on criminal targets and crime prevention. At the strategic level SOCA has a harm and market paradigm focus underpinning its work (Carter and Carter, 2009). At the operational and tactical level SOCA intelligence work is underpinned by a threat focus (SOCA, 2011). The SOCA intelligence model supports the achievement of strategic harm reduction through products that transition from harm-focused strategic intelligence to target-centric tactical intelligence.

The SOCA intelligence model promotes the development of strategic intelligence that supports operational intelligence in prioritising targets based on organisational strategy (see also SOCA sample documents). SOCA's analysis of the UK's vulnerabilities to TOC plays an important part in this process (Carter and Carter, 2009). SOCA's operational intelligence capability provides tactical intelligence with prioritised targets; tactical intelligence then develops targeting packages for law enforcement investigators. At each level of activity SOCA intelligence and information is collated, analysed and disseminated to strategic intelligence to inform future intelligence products.

Analysis of the SOCA strategic intelligence model indicates that intelligence and decision-making processes need to be synchronised to maximise outcomes (see also SOCA sample documents). Encyclopaedic estimates that support strategy setting need to be submitted to decision-makers early in the planning process to achieve maximum effect (Davis, 2007 and 2009). Synchronisation places pressure on strategic intelligence to monitor changes in the operating context to ensure planners have the latest information and intelligence (Davis, 2007). It also places pressure on strategic intelligence to develop estimative products that have a futures focus that extends well beyond the current planning cycle (Quarmby, 2009).

SOCA's approach to strategy setting and policy, based on strategic intelligence, has come under significant pressure from police and domestic UK media (Carter and Carter, 2009). The criticism relates to performance measurement against traditional law enforcement measures such as seizures. SOCA's broadly defined strategy is primarily focused on improving human security in the UK. SOCA's underlying focus is less concerned with successful prosecutions and increased seizures as it is with impacting on the harm from illicit commodities (Carter and Carter, 2009). This is achieved through multi-tiered strategies focused on high-impact surgical activity as opposed to traditional blanket enforcement activity at the border (see also SOCA sample documents).

Criticism of SOCA methodologies has gained momentum in recent years with arrest and seizure figures being used as evidence that SOCA's current strategy is losing '*traction*' (see also SOCA, 2011). The removal of its strategy setting and coordination role could possibly indicate a weakening of SOCA's human security methodology in the UK (Carter and Carter, 2009). Whilst some respondents have argued that this is a result of poor marketing (Respondents 003 and 017) it is more likely due to the complexity of performance measurement in contemporary law enforcement, with law enforcement performance measures focused on quantitative measures such as arrests and seizures (Drake and Simper, 2001). The importance of these '*politically charged*' measures is reinforced formally and informally in police organisational culture (Gimber, 2007). Thus promotions in law enforcement are based on '*good arrests*', not on achieving improved harm reduction or security (Maguire, 1999).

4.4 Observations

CISC and SOCA present two very different and contrasting approaches to TOC and strategic criminal intelligence. This chapter has demonstrated that the need exists for intelligence and strategic TOC intelligence in law enforcement regardless of the structure or management model for high-policing and their supporting intelligence processes.

CISC and SOCA clients have a large appetite for criminal information, crime analysis and intelligence regardless of the prevailing law enforcement management model. Increasingly SOCA and CISC strategic TOC intelligence is being used by justice policy professionals to develop public policy (Sheptycki, 2009). This public policy is subsequently used to develop and implement law enforcement strategies and their performance management measures. The term intelligence has different meanings for many SOCA and CISC clients but there is a universal demand for its production.

Critical analysis of the SOCA and CISC case studies suggests that knowledge, criminal intelligence and criminal information are all different commodities. Although different in nature each of these commodities can be used in conjunction with additional development processes to produce the other (Maguire and Tim, 2006). In both SOCA and CISC criminal information and police knowledge can be collated and analysed to produce intelligence. This transformative process involves detailed analysis with scientifically-based doctrinal approaches, intuition and imagination (Marrin, 2009).

At the theoretical level analysis of the case studies revealed that strategic intelligence in law enforcement may have discreet definitional differences from national security applications. Strategic intelligence in law enforcement has the potential to be more holistic in nature than national security approaches (Sheptycki, 2009). Law enforcement intelligence achieves its holistic approach by stepping beyond adversarial analysis to a human security paradigm or epistemology.

Canada, through CISC, has chosen to establish a dedicated strategic intelligence agency. In doing so it has used a primarily national security strategic intelligence model that analyses TOC as an adversary. The CISC model undertakes its analysis from a Canadian-centric approach. In comparison the UK Government developed SOCA using a human security approach bedded within the national security apparatus (Carter and Carter, 2009). The human security approach views intelligence as a decision-support mechanism (see also SOCA sample documents). Strategic intelligence in this construction is closely linked with the concept of harm reduction (Sparrow, 2008). In this model strategic intelligence is integral to the UK's TOC policy and strategy development process.

References to ILP appear regularly within the corporate documents of both SOCA and CISC. In both cases these references are used to highlight, at a theoretical level, the value-add that strategic intelligence provides law enforcement agencies. Neither agency has completely adopted Ratcliffe's (2003) ILP theory or its corresponding 3-I Model (Ratcliffe, 2008a). CISC's adoption of national security methodologies, such as the indications and warning method, seems distant from the 3-I Model's '*influencing decision-makers to impact on the criminal environment*' theories (Ratcliffe, 2008a). The CISC model is more focused on managing risks and threats rather than influencing decision-makers. In comparison, SOCA is more focused on working with policy and strategy developers to reduce harm. Each agency's conception of ILP appears to be, in practice and doctrine, significantly different than that represented by Ratcliffe's (2008a) 3-I Model.

Ratcliffe (2008; pp. 109-112 and 2009; pp. 8-10) uses his 3-I model as a conceptual framework for the role of intelligence and decision-makers in ILP. The model consists of three nodes: '*Criminal Environment*', *'Criminal Intelligence Analysis*' and '*Decision-maker*'. Each node is connected through a single directional flow indicator. The model calls for '*Criminal Intelligence Analysis*' to actively '*interpret*' the criminal environment. In this model, '*active*' translates to intelligence staff trying to overcome the limits of the push systems that rely upon police reporting information either proactively or in response to requests for information (Ratcliffe 2008; pp. 109-112 and 2009; pp. 8-10).

The '*Crime Intelligence Analysis*' node of the 3-I Model is linked to the '*Decision-maker*' with the purpose of the relationship being that intelligence '*influences*' the decision outcome (Ratcliffe 2008; pp. 109-112 and 2009; pp. 8-10). The '*Decision-maker*' node in this model is not organisationally defined; rather it is defined as the right decision-maker who can use the intelligence to impact on the criminal environment. In this framework the intelligence analyst is responsible for identifying and defining the right decision-maker. The aim of such an approach is to directly integrate intelligence in policy development. This model calls for the elevation of intelligence influence to be a significant part of the decision-making process (Ratcliffe, 2008 and 2009).

The '*Decision-maker*' node is subsequently linked to the '*Criminal Environment*' node (Ratcliffe, 2008; pp. 109-112 and 2009; pp. 8-10). Rather than defining this link in the context of traditional law enforcement outcomes, such as arrests or seizures, the connection is more broadly defined as an '*Impact*' upon the criminal environment. With this conceptual model Ratcliffe seeks to extend the traditional intelligence cycle to include, and end with, the achievement of an impact on the criminal environment, rather than the dissemination of a product (2008). What the 3-I Model (Ratcliffe, 2008) does not provide is an indication of how, or even if, direction from the decision-maker will initially influence the prioritisation of the interpretation of the criminal environment.

Ratcliffe's 3-I Model has been developed to communicate the underlying principles of ILP theory (Ratcliffe, 2008; pp. 109-112 and 2009; pp. 8-10). Analysis of CISC and SOCA intelligence models provided evidence that the 3-I Model may oversimplify the strategic intelligence process. The 3-I Model advocates an ILP theory that promotes intelligence input to law enforcement decision-making above all other inputs (see also Ratcliffe, 2002, 2003, 2004a, and 2004b). Both SOCA and CISC intelligence models make reference to a variety of decision-support inputs ranging from KM, crime analysis, policy development as well as media and government directional inputs.

The CISC and SOCA models provide evidence that having an impact on the criminal environment involves a complex network of decision-support inputs. SOCA and CISC utilise very different conceptual lenses to apply strategic intelligence to understanding TOC (Carter and Carter, 2009; and Best, 2010). The lenses also provide a means for strategic intelligence to interact within the network of decision-support inputs. Both conceptual approaches to strategic intelligence seek to achieve far more than the interpretation of the criminal environment, as advocated in the 3-I Model (Ratcliffe, 2008).

Analysis of the SOCA and CISC intelligence models suggests that both organisations have adopted national security approaches to strategic intelligence (Sheptycki, 2009). The CISC model has adopted the adversarial approach of threat and risk. This is evident in CISC's use of an indications and warning problem framework for futures work. SOCA's qualitative human security approach to strategic intelligence continues to demonstrate a unique law enforcement axiomatic approach to intelligence (Sheptycki, 2009). In both SOCA and CISC there is organisational recognition that no matter what innovative approach is used, the arrest of TOC offenders as well as the seizure of their illicit products and profits remains necessary (Marrin, 2009 and 2009a). The SOCA approach, however, argues that these activities must be targeted and serve as stages in the implementation of wider strategies.

Both the CISC and SOCA intelligence models argue that strategic intelligence processes and outcomes are not undertaken in a vacuum. In both models, strategic intelligence (the product) is created as a decision-support tool that needs to be closely aligned with the needs of the client in both form and time (Carter and Carter, 2009). Both case studies revealed that to be timely, strategic intelligence should be synchronised with strategic planning and policy development processes. This process of synchronisation allows the full value of the strategic intelligence resource investment to be exploited by decision-makers (Kahn, 2009). The conceptual framework for ILP in SOCA and CISC does not, however, support the close alignment of intelligence and decision-making that is described within the 3-I Model (Ratcliffe, 2008; pp. 109-112 and 2009; pp. 8-10).

The synchronisation of strategic intelligence with policy and strategy processes has implications for CISC's and SOCA's development of strategic intelligence products. For estimative strategic intelligence products to remain relevant throughout these processes they must include futures work (Quarmby, 2009). To remain relevant throughout the public policy process—which includes law enforcement strategy implementation—CISC and SOCA monitor changes in the environment and provide clients with additional short form strategic intelligence products. CISC's and SOCA's focus on predicative and anticipative futures intelligence remains one of the defining differences between intelligence and criminal information in both organisations. In both SOCA and CISC strategic TOC intelligence has an estimative component that is future-focused.

The synchronisation of strategic intelligence relates to the overall level of support to clients, rather than specific intelligence products. When the specific intelligence products of both organisations are considered in the context of synchronisation three time-related issues are identified: time taken to produce reports, aligning of dissemination with decision-making processes, and formatting that allows timely assimilation of intelligence by clients (see also Herman, 2007). Whole-of-government TOC policy development requires broader environmental scanning than that usually required by law enforcement (Quarmby, 2009). The client demand for law enforcement strategic TOC intelligence to undertake wider environmental scanning is significantly more time consuming (Carter and Carter, 2009). This additional production time places further pressures on SOCA and CISC to ensure that reports are produced in such time that they remain relevant for users.

Long-form encyclopaedic strategic intelligence products provide CISC and SOCA with a vehicle to consolidate knowledge. CISC's and SOCA's strategic intelligence products summarise all that is known about a specific topic. Achieving this summation often requires the publication of large quantities of data that has often already been considered by clients in their deliberations (Holland, 2007). Often the lead times for the production of this type of long-form report results in its overall content being dated well before it is disseminated (Quarmby, 2009; and Carter and Carter, 2009). The time taken to produce these reports combined with the rapidly changing TOC operating environment creates limitations in the utility of SOCA's and CISC's long-form intelligence products.

The analysis of risk, harm and threat using criminal information is sensitive to changes and developments in the operating environment (Quarmby, 2009; and Carter and Carter, 2009). Intelligence reports are used by CISC and SOCA to track and measure changes in the criminal environment. As a result, these organisations' intelligence models have the potential to be used as qualitative performance measurement tools.

CISC's and SOCA's intelligence models are based on the intelligence cycle (Kahn, 2009). In both agencies there is an absence of client direction when the intelligence cycle is translated into practice. Often CISC and SOCA are expected to identify and prioritise their own respective intelligence work (Sheptycki, 2009). The absence of client direction in both agencies provides some historical explanation for the significance of risk/threat theories in CISC and harm theories in SOCA. Rather than being analytical tools, risk/threat and harm assessments in CISC and SOCA have evolved into a pseudo direction mechanism for the intelligence process. The absence of direction from government policy areas could be related to the nature of the separation of powers (Marrin, 2007). Alternatively it could be a result of the siloed tactical nature of police enforcement operations (Carter and Carter, 2009).

Strategic intelligence produced by CISC and SOCA involves much more than the aggregated collation of criminal information to create a market perspective. The diverse focus of strategic intelligence requires analytical units to utilise an equally diverse range of information sources that extend beyond criminal information (Kahn, 2009, and Davis, 2007). All-source intelligence collection and collation plays a key role in the differentiation of intelligence from crime analysis in both organisations.

Strategic intelligence in SOCA and CISC plays an increasingly more important role in supporting whole-of-government policy development (Carter and Carter, 2009). At a conceptual level both agencies have a significant supporting role to play in whole-of-government justice policy development. This role extends beyond support to senior decision-makers to active participation in the various stages of public policy development. This wider strategic intelligence role may extend further to include a much more collegiate interaction between strategic and tactical law enforcement intelligence than found within national security intelligence.

4.5 Conclusion

This chapter has presented case studies of CISC's and SOCA's application of strategic intelligence targeting TOC. The case studies have analysed strategic intelligence in each organisation using an explorative methodology. The case studies represent a cross-section of international '*high-policing*' organisations that share similar operating contexts to those of the ACC and AFP. Throughout this chapter existing theories relating to intelligence processes, police management and KM were used to inform the exploration of each organisation's application of strategic intelligence.

Chapter Four has revealed what strategic intelligence in CISC and SOCA does, and what value it creates for each organisation. There are significant differences between CISC's and SOCA's theoretical models of strategic intelligence, as well as their implementing methodologies. This chapter has explored some of the complex and diverse variables involved in producing strategic TOC intelligence in CISC and SOCA. The chapter has also identified that SOCA and CISC share a number of organisational, cultural, methodological and theoretical factors that inhibit the effectiveness of strategic TOC intelligence.

The Chapter's analysis has identified deficiencies in the utility of intelligence reports produced by both organisations (SOCA and CISC). Whilst CISC has adopted a threat and risk methodology and SOCA a harm focus, both organisations appear to make extensive use of encyclopaedic strategic intelligence reports. CISC's adversarial threat and risk paradigm are similar in epistemology to that of national security and military intelligence (Sheptycki, 2009). SOCA, in comparison, continues to utilise law enforcement's traditional human security paradigm to guide its work (Sheptycki, 2009). The intelligence reports of both organisations utilise aggregated analysis of operational and tactical information to produce strategic intelligence. The strategy and policy client are not likely to be well served in either case study by quantitative aggregated strategic intelligence as compared to macro estimative intelligence. The impact of holistic macro estimative intelligence would appear to be inhibited by law enforcement's tactical performance measures which in many cases discourage innovative strategic decision-making.

The case studies in this chapter provide an international perspective of law enforcement strategic intelligence for comparison with the Australian case studies in Chapters Five, Six and Seven. The case studies in the next chapters will explore strategic intelligence within the high-policing organisations in the Australian federal jurisdiction: the AFP and ACC. Chapter Five presents an analysis of qualitative data collected during the ACC case study which examines the ACC's application of law enforcement strategic intelligence.

Chapter 5
Case Study Two: The Australian Crime Commission

5.1 Introduction

Chapter Four provided this thesis with the Canadian and United Kingdom's (UK's) positions on the application of strategic transnational organised crime (TOC) intelligence in law enforcement. Chapter Five will now use Chapter Four's findings to commence a critical exploration of the Australia's national law enforcement agencies' (Strategic Intelligence) methodologies and models. The ACC and the Australian Federal Police (AFP) are Australia's primary national law enforcement agencies with TOC responsibilities. Chapter Five presents a case study of the Australian Crime Commission's (ACC) application of strategic TOC intelligence.

The chapter provides a detailed examination of the ACC, its operating context and an analysis of the data that was collected during the research process. The case study reveals what strategic intelligence in the ACC does and the value it provides its clients by way of impacts on policy and decision-making. The analysis in this chapter forms the basis for the development of an Australian national perspective of the application of strategic TOC intelligence in law enforcement.

The research presented in this chapter is derived from multi-stage qualitative analysis, using content and discourse analysis techniques, of ACC corporate documents and reports. The chapter presents both macro and micro perspectives of the ACC's corporate documents as well as intelligence doctrine and reports. The chapter compares and contrasts the ACC's application of strategic TOC intelligence with contemporary academic theories. This chapter contributes to the contextualisation of the strategic TOC intelligence conceptual framework developed in Chapter Eight.

5.2 The ACC in the Australian Law Enforcement Community

Australia's Law enforcement community, like those in Canada, the UK and the United States of America (US), is tribal in nature (Schneider and Hurst, 2008). The Australian law enforcement community is a highly competitive work space where partners can simultaneously operate as competitors for operational outcomes, performance measures and resources (Rogers, 2009). The ACC operates in a work space divided by legal jurisdictions and federal, state and territory policy (see also ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC has clear areas of responsibility, but many of these are competitive or contested work spaces (Viaene, De Hertogh, and Maandag, 2009).

Since the 9/11 terror attacks there has been evidence of greater cooperation within the Australian law enforcement community (Keelty, 2006). From a Commonwealth perspective there have been greater efforts to develop and implement whole-of-government strategies to address law enforcement challenges (Wardlaw and Boughton, 2006). These are evidenced in a number of developments, including counter terrorism (CT) responses, counter people smuggling strategies and indigenous intervention to name but a few (Keelty, 2006). Whether these examples represent a move towards holistic cooperation—as opposed to an ad-hoc negotiated approach to tension spaces—remains to be seen. At present there is no universally accepted Australian law enforcement intelligence model, although one is currently in development.

5.3 The Operating Context

During the 1990s the conceptualisation of policing in Australia underwent a rapid change (Ransley and Mazerole, 2007; pp. 37-38). Until this period crime was conceptualised solely as a legal issue which was to be '*controlled, corrected and prevented*' (Ransley and Mazerole, 2007; pp. 37-38). The strategy for achieving this was closely linked with the prevailing police conceptualisation of crime. Strategies developed by police and criminal justice policy staff during the 1990s were primarily focused on the application of criminal law on individual offenders (Loader, 2004). This history of law enforcement policy continues to have very specific impacts on contemporary police culture, as well as police management and strategy.

Deukmedjian and Lint (2007) argue that law enforcement agencies do not have a strong strategic management culture. This is hardly surprising given the nature of policing prior to the late 1990s. Up until then policing was focused on tactical outcomes associated with offenders (Loader, 2004). Performance measures were solely focused on elements of performance related to the arrest and prosecution of individual offenders**.** There was little scope for dynamic strategy development as police management at that time was dominated by '*management by objectives*' approaches (Deukmedjian and Lint, 2007). These factors provide an explanation for why so many contemporary law enforcement agency performance measures remain focused on offender-based enforcement measures that have little to do with organisational aims.

The tactical focus of police, especially within state and territory jurisdictions in Australia, was a major factor that supported the rapid acceptance and implementation of intelligence-led policing (ILP) methodologies (Ratcliffe, 2002, 2003, 2004a, and 2004b). ILP rapidly achieved a workable degree of synergy with police operations at both the organisational and individual police level. This synergy was achieved, for the most part, in community policing contexts (See also Moore and Stephens, 1991; Peak and Glensor, 1999; Goldstein, 1990; Kelling and Coles, 1996; Walsh, 2001: pp. 347-350, and Ratcliffe, 2002, 2003, 2004a, and 2004b). Community policing was able to rapidly achieve enforcement outcomes from ILP analytical tools such as geospatial mapping (Maguire and Tim, 1995: p. 58).

By the end of the 1990s significant change had occurred within policing, especially in Australian jurisdictions (Keelty, 2006). The Australian Commonwealth Government had divested a range of enforcement and investigative responsibilities throughout an equally diverse range of agencies (Ransley and Mazerole, 2007; pp. 37-38). A number of new enforcement agencies were also established. Finally, a range of new legislative crime prevention and control schemes were also implemented. These schemes involved an array of agencies and authorities at various levels of government. During the policy development and implementation phases of these initiatives little police input or coordination was involved. In Australia this process of change was replicated in state and territory jurisdictions—albeit at a much slower tempo (Ransley and Mazerole, 2007; pp. 37-38).

These changes have complicated the Australian national law enforcement operating context (Keelty, 2006). The changes in how crime is conceptualised by successive Australian governments has resulted in law enforcement being synonymous, at least at the national policy level, with more than the arrest of offenders (Wardlaw and Boughton, 2006). Law enforcement in Australia is now comprised of a complex network of activities designed to reduce criminal opportunities whilst improving overall human security (Sheptycki, 2009). This network of activities is driven by strategic decision-making, supported by a range of knowledge, information and intelligence products.

Much of the Australian national proactive crime prevention and control capability now resides outside of police and law enforcement agencies (Ransley and Mazerole, 2007; pp. 37-38). Subsequently, law enforcement has had to change its approach to participating in the development of strategic policy at a national level. Policing strategies in Australia now make increasing reference to third party and partnership policing (Ransley and Mazerole, 2007; pp. 37-38). For law enforcement's strategic intelligence capability the sources of intelligence, information and raw data are now greater and more varied. The picture of criminality is now distributed across a larger network of diverse public, private and not-for-profit sector sources. This has also led to the law enforcement strategic operating context becoming increasingly competitive and complex. The latest iteration of law enforcement strategic management must move from strategic case management to a whole-of-government policy paradigm if it is to achieve further successes.

At the Australian national level there are a large number of agencies, authorities and departments with TOC-related enforcement and regulatory responsibilities (Wardlaw and Boughton, 2006). These responsibilities range from traditional areas such as border control and immigration, to regulatory enforcement activities within the Australian economy. Regardless, the AFP and ACC are the only two national law enforcement agencies with TOC responsibilities (Keelty, 2006).

The ACC and AFP both hold important strategic TOC intelligence roles supporting the development of national and Commonwealth law enforcement strategy (AFP, 2011; and ACC, 2011a). These agencies also fulfil roles central to Australian national whole-of-government TOC policy development, as well as supporting roles in national security policy (AGD, 2010b; and Wardlaw and Boughton, 2006). Whilst a range of other federal agencies have national regulatory and enforcement roles they do not hold the same central strategic intelligence role at the Australian national level as either the ACC or AFP (AFP, 2011; Rogers, 2009; and ACC, 2011). In addition, both the ACC and AFP have strategic TOC responsibilities that are comparable with that of CISC and SOCA. As such, other Australian non-policing agencies have not been included in the scope of this research.

In April 2002 the Council of Australian Governments (COAG) Leaders' Summit agreed on the establishment of a new national framework to meet the challenges of combating terrorism and multi-jurisdictional crime (COAG, 2002). The choice of terminology used for the establishment of this framework was interesting, as were the underlying assumptions that supported its implementation. The Summit chose to identify the TOC risk and threat as being national in nature (COAG, 2002). Law enforcement strategy—according to this direction—was to be managed by the collective efforts of Commonwealth member states and territories, as well as national agencies (Rogers, 2009). COAG's use of this terminology illustrates the very important theoretical assumptions that have subsequently created conflict spaces for the ACC's operational and intelligence work (Wardlaw and Boughton, 2009).

The Summit's action items reveal that the ACC's founding framework was established to address a national problem; a problem that is a threat to Australia's national human security. The action items also highlight that this national problem was to be addressed with a Commonwealth approach—one which is inclusive of the state and territories with regards to strategy and implementation. Subsequently, national risks and threats are viewed through a Commonwealth lens by its membership board (COAG, 2002). The Commonwealth lens assesses and defines the national risk and threat as an aggregation of issues from the multiple state and territory perspectives, as well as the federal jurisdiction (Mitchell, 2007). The ACC strategic TOC intelligence model has adopted a border (the Australian geographic border), '*looking-in'* approach to crime.

Although not clearly articulated by the Summit (COAG, 2002), the terminology '*national problem*' relates to issues of national significance that must be addressed through cooperation across the Commonwealth of Australia and its national, state and territory jurisdictions (AGD, 2010). Further analysis of the framework reveals, in terms of TOC, that '*national significance*' relates to issues that represent a threat, risk and or harm to multiple Australian jurisdictions (COAG, 2002). '*National significance*' also relates to the aggregation of multiple geographically defined jurisdictions as opposed to threats, risks or harms to the nation as a whole (COAG, 2002). The establishment and ongoing operation of the ACC is complicated by confusion within corporate documents over Commonwealth and national terminology (see also all ACC sample documents).

From the federal law enforcement perspective '*national*' relates to the national jurisdiction, not accumulative threat, risk, and harm to the various states and territories (AFP, 2010; and Rogers, 2009). Should the accumulative COAG lens be consistently applied to all multi-jurisdictional crime types there would be a range of arguments for similar national responses to issues such as common assaults. A national approach in the context of the Summit assumes that the national threat from TOC requires a Commonwealth solution where each jurisdiction of the Commonwealth has equal representation in strategy setting (Rogers, 2009; and Quarmby, 2009).

The establishment of the ACC involved the replacement, through merger, of the National Crime Authority, The Australian Bureau of Criminal Intelligence and Office of Strategic Crime Assessments (COAG, 2002). The ACC was designed to achieve strategic integration of counter, serious and organised crime strategies across the various Australian jurisdictions. This approach was adopted to meet the challenges of multi-jurisdictional organised crime (OC) and the problems associated with coordination and communication between jurisdictions (Rogers, 2009).

In Australia there is no integrated national-level strategic decision-making entity that can guide operational activity (Carter and Carter, 2009). The ACC has struggled to deal with the absence of any centralised national TOC strategy development or decision-making entity (Best, 2010). The Commonwealth Government's Attorney-General's Department (AGD) '*provides support to the Government in the maintenance and improvement of Australia's system of law and justice and its national security and emergency management systems*' (Attorney-General's Department, 2011). AGD has a central policy role focused on '*achieving a just and secure society*' (Attorney-General's Department, 2011). At the Australian national level, however, law enforcement strategies have a tendency of being separated from strategic policy development due to the day-to-day application of the separation of powers doctrine (Christensen and Laedreid, 2007). Research interviews (002-005 and 044) revealed that this problem is further complicated by conflicting state and territory interests. Whilst the AFP argues that the prioritisation of work should be based on a national perspective

many of the management board members are naturally more interested in their own jurisdictional priorities (Christensen and Laedreid, 2007).

The theories that underpin the establishment and operation of the ACC are based on incorrect assumptions of the nature of the TOC threat (see also all ACC sample documents). The ACC's conceptualisation of TOC is based on an assumption that OC is an adversary that can be combated in a military or adversarial sense. In making this assumption AGD policy staff and the ACC appear to be suggesting that Cressy's classical conception of OC is correct (Gibson, 2009; Vassalo and Case, 1996; Cockayne and William, 2009; and Davis, 2007). The ACC's Commonwealth focus is underpinned by an assumption that the national threat is equally distributed across the nation in a geographical sense (see also ACC Annual Reports).

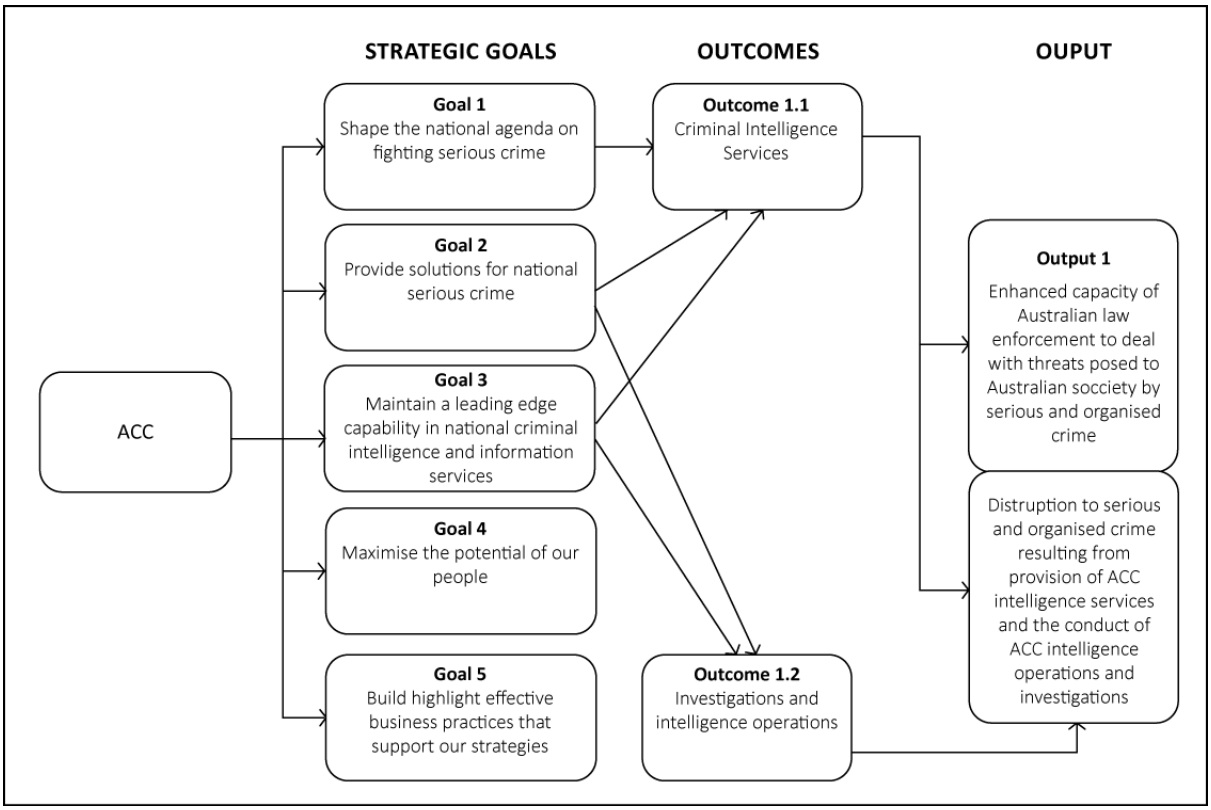
5.4 Role and Structure

The ACC's corporate documents state that the organisation's primary purpose is to '*unite the fight against nationally significant crime*' (ACC, 2011). The ACC describes its organisational aim as making the '*Australian environment unattractive for serious and organised crime*' (ACC, 2011, 2011a and 2011b). The key delivery channel to achieve this aim is the provision of '*information*' to governments (Australian federal, state and territory) and partner agencies to facilitate '*good*' decision-making to '*protect Australia from nationally significant crime*' (ACC, 2011, 2011a and 2011b). This approach highlights some of the challenges faced by the ACC when developing law enforcement intelligence doctrine. At the theoretical level it is unclear from these organisational statements whether the ACC is a provider of criminal '*information*', or '*intelligence*' or both. Analysis of ACC corporate documents fails to provide a definitive understanding of the differences between '*information*' and '*intelligence*', which further complicates the development of a robust theoretical model (see also all ACC sample documents).

In 2010 the ACC's role was further enhanced by the release of the Australian Government's national strategy on OC (AGD, 2010, 2010a, and 2010b). To support the achievement of its aim and purpose the ACC has developed an Outcomes and Outputs Framework (see Figure 5.1) (ACC, 2011, 2011a and 2011b).

The ACC's Outcomes and Outputs Framework has a very strong intelligence and enforcement focus (Rogers, 2009). The ACC's sole organisational output is dually focused on enforcement and decision-support (ACC, 2011, 2011a, 2011b, 2011c and 2011d). Although a national agency the ACC's output has a strong operational and tactical focus (See Figure 5.1). The disruption activities of the Outcomes and Outputs Framework are related to internal operational activity that includes both intelligence operations and investigations (ACC, 2011, 2011a, 2011b, 2011c and 2011d). The theoretical basis for this approach is an argument that tactical and operational activity can have a strategic impact.

Figure 5.1 — ACC Outcomes and Outputs Framework
(Source: ACC, 2011, 2011a and 2011b)



The ACC's output of '*enhanced capability of law enforcement to deal with organised crime*' is strategic in nature. This aspirational goal requires the support of whole-of-government national policy to ensure sufficient resources and coordination. In practice the achievement of the goal is limited to enforcement activities, rather than whole-of-government national policy development (ACC, 2011, 2011a, 2011b, 2011c and 2011d). This approach is underpinned by an argument that target hardening is primarily achieved through enforcement activities focused on the successful prosecution of offenders (Rogers, 2009).

The ACC's outcomes appear to be operationally- and tactically-focused, as opposed to being strategic in nature (ACC, 2011, 2011a, 2011b, 2011c and 2011d). Outcome 1.1 relates to the ACC's provision of intelligence services. The identified goals and output for ACC's Outcome 1.1 are tactical in nature. The ACC's tactical focus results in the identification of a number of questions regarding why such services are required when state, territory and federal jurisdictions already invest heavily in intelligence capabilities (see also Gimber, 2007). The ACC was originally developed to coordinate enforcement activity that crosses jurisdictions and multi-jurisdictional convergences of criminal activity, as opposed to operating as a national-level strategic criminal intelligence agency (COAG, 2002 and ACC, 2011).

The ACC's role (see ACC Annual Reports) and its influence upon justice policy in Australia highlight the organisation's strategic nature. The ACC's corporate documents do not specifically mention the production of strategic intelligence (see also all ACC sample documents). In practice the ACC seeks to improve communication and information sharing between jurisdictions, as opposed to performing a strategic intelligence role (COAG, 2002 and Gimber, 2007). This position is evidenced by the ACC's tactically-focused Outcomes and Outputs Framework (ACC, 2008a).

The ACC makes reference to conducting intelligence operations in its strategic remit (see also all ACC sample documents). With the exception of dually-focused counter-intelligence and law enforcement agencies an intelligence operations outcome is unique to the ACC in both the Australian and international law enforcement context (Kahn, 2009). The inclusion of intelligence operations within definitions of intelligence in national security has been subject to discourse for many years (Johnson, 2009). This discourse can be avoided given the nature of '*intelligence operation*' activities undertaken by the ACC. ACC intelligence operations do not relate to covert or clandestine operational activities, but rather are focused on intelligence collection activities (ACC, 2011, 2011a, 2011b, 2011c and 2011d).

Since 2009, under the management of Mr John Lawler APM, the ACC has sought to morph itself into '*Australia's National Criminal intelligence Agency*' (ACC 2009b, 2009c, 2009d, 2009e, 2010, 2010a, 2010b, 2011, 2011a, 2011b, 2011c, and 2011d). Although this change would seem a reasonable desire it is difficult to see how this relates to the ACC's existing Outcomes and Outputs Framework. It is also difficult to establish why such services are required in light of existing strategic intelligence capabilities that reside within the national law enforcement community.

To achieve its aim the ACC delivers the following products and services:

- tactical and strategic intelligence;
- national serious and organised crime investigations with and for partners;
- national criminal intelligence database services;
- policy development and law reform advice; and
- powerful cross-sectoral partnerships (ACC, 2011, 2011a, 2011b, 2011c, and 2011d).

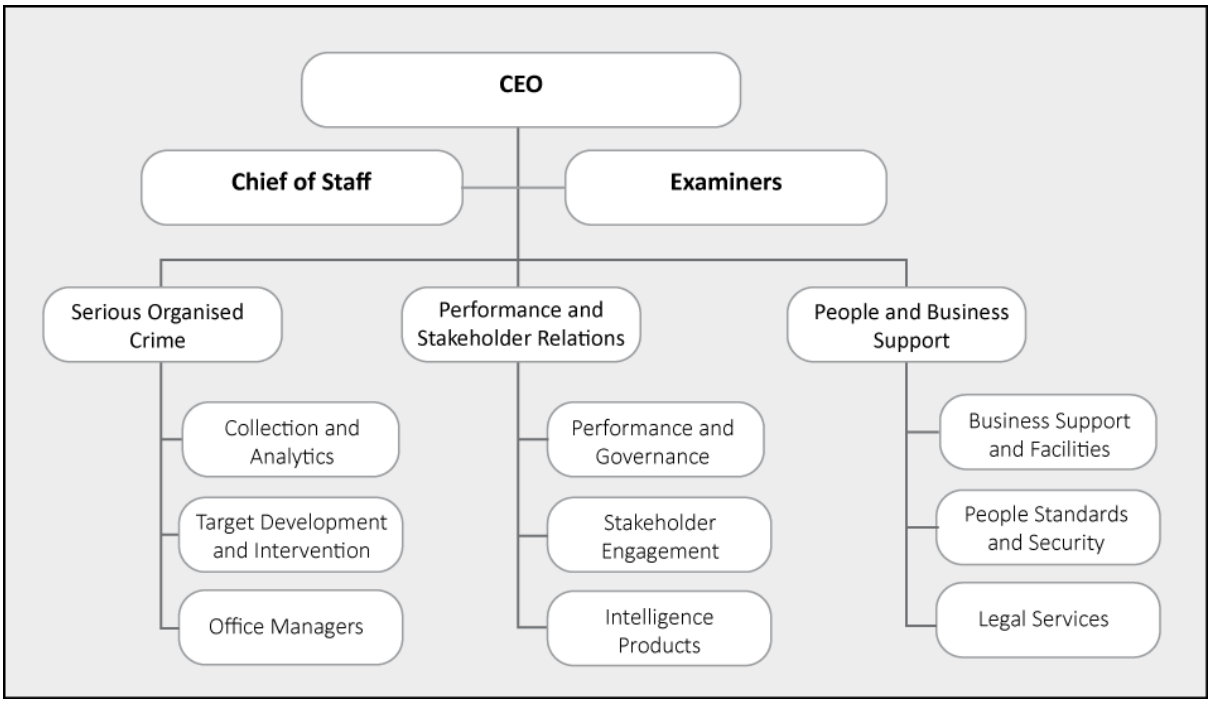
Rather than indicating a sense of cohesion this list of products and services could be assessed as a collection of every element or strategy of modern policing and law enforcement (Ratcliffe, 2003; and Walsh, 2007). The ACC's website states '*As an agency we provide intelligence, investigation and criminal database services*.' (ACC, 2011d). This description paints a picture of the ACC as another law enforcement agency as opposed to a niche '*National Criminal Intelligence Agency*' (ACC, 2011d).

Prior to the 2010 release of the Commonwealth Organised Crime Framework, the ACC's organisational development was primarily guided by the experiences of SOCA and CISC (AGD, 2010, and 2010a). The ACC has developed and implemented a number of initiatives with startling similarities to the strategies used by SOCA and CISC—for example the Sentinel Watch List (ACC, 2011, 2011a, 2011b, 2011c and 2011d). In adopting these initiatives there appears to have been an absence of sufficiently strong theoretical and organisational contextualisation to facilitate their successful implementation (see also Sparrow, 2008; pp. 9-12). The ACC's report on food shortages and pandemics illustrates this point. These reports seem an odd choice for a law enforcement strategic warning project for an agency primarily focused on TOC. These reports highlight the absence of theoretical grounding of strategic intelligence innovation in the ACC.

The inconsistent application of the ACC's organisational strategies becomes evident in light of its aim and purpose (ACC, 2011, 2011a, 2011b, 2011c and 2011d). Although the ACC describes a need to work with partners to make Australia an '*unattractive crime target*' (ACC, 2011), its Outcome and Outputs Framework (See Figure 5.1) remains strongly focused on enforcement outcomes. The ACC's organisational purpose and aim seem more akin to either harm reduction or risk mitigation than enforcement (Sparrow, 2008); however, the ACC's reporting and analytical approaches are primarily focused on intervention and arrests (see also all ACC sample documents).

To deliver its Outcomes and Outputs Framework the ACC has adopted a traditional hierarchical organisational structure (see Figure 5.2). A range of observations could be made about this structure, but these will be limited in this chapter to those that are relevant to the primary research question.

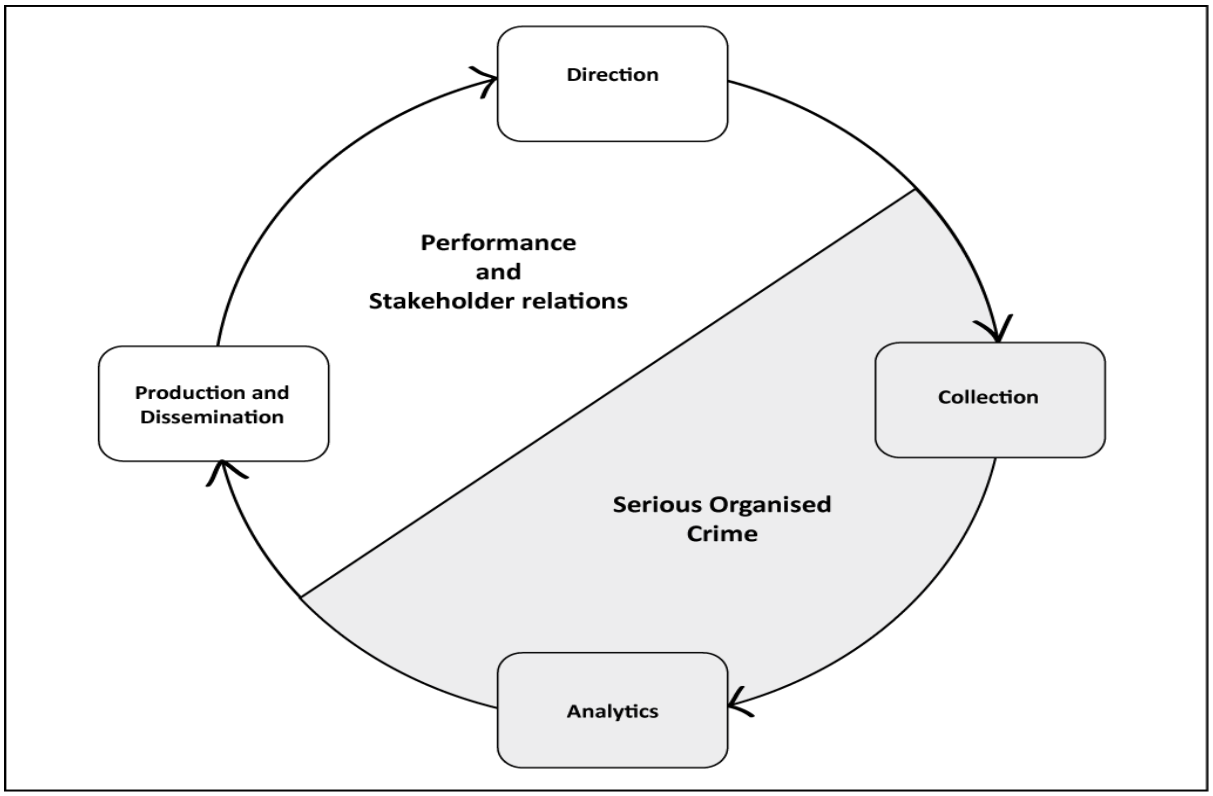
Figure 5.2 — ACC Structure.
(Source: ACC, 2011, 2011a, 2011b, 2011c, and 2011d)



As can be seen from the Output and Outcomes Framework (see Figure 5.1) and the ACC organisational structure (see Figure 5.2) the ACC undertakes direct enforcement activities including investigations (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Rogers, 2009). Given the ACC's claim of being intelligence-led it should be accepted that it undertakes operational and tactical intelligence activities in support of investigations (ACC, 2011, and 2011a). The ACC's strategic intelligence capability is not separated from its other intelligence functions (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Gimber, 2007).

The ACC organises its intelligence capabilities by geographic area of operations for its regional offices (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC's regional offices undertake a range of operational and tactical intelligence tasks across the breadth of the intelligence cycle, against a diverse range of intelligence targets (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Rogers, 2009). In comparison, its national headquarters (located in Canberra) divides the intelligence function in a manner which cross-cuts the intelligence cycle (see Figure 5.3).

Figure 5.3 — The Division of the Strategic Intelligence Cycle within the ACC Organisation Structure. (Source: ACC, 2011, 2011a, 2011b, 2011c, and 2011d)



Within its national headquarters the ACC structures its intelligence functions by the roles specific business units and sub-units perform within the intelligence cycle (Rogers, 2009). This results in a separation of the analytic and collection areas from interaction with their clients. It also results in the business processes responsible for the production of intelligence being separated from the analytical processes that they are developed from. Kahn (2009) argues that this type of structural approach necessitates extremely close cross-organisational communication to ensure the accuracy of intelligence reporting.

The ACC organisational structure separates operational- and strategic-level intelligence (collection and analytics) from tactical intervention and intelligence roles (target development and interventions). This organisational decision on the separation of intelligence functions conflicts with the ACC's own theoretical model of intelligence support (McDowall, 2009). Traditional models of intelligence argue that tactical intelligence activity—including target development and support to interventions—be undertaken as an extension of the work of collection and analysis (Herman, 2007). In the ACC model tactical intelligence is aligned closely with operational activity (Marrin, 2009a). In stark comparison, strategic and operational intelligence functions are organisationally distanced from the client (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Whilst tactical intelligence is conducted

independently, strategic and operational collection and analysis is undertaken together within a separate business unit.

Within the Australian national policy framework the ACC performs a substantive role supporting the development of TOC policy (Rogers, 2009). This supporting role is articulated within both ACC corporate documents and the Commonwealth Organised Crime Framework (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and AGD, 2010 and 2010a). In this role the ACC is responsible for providing intelligence and policy support for TOC policy development. An examination of Figure 5.2 reveals that this role resides within the ACC's stakeholder engagement unit (ACC, 2011a). This analysis also revealed that structurally and organisationally the ACC policy support role is integrated within both the strategic intelligence and intervention capabilities. This central policy focus is evidence of the importance of intelligence within the ACC's conception of the policy development cycle (Gimber, 2007; and Rogers, 2009). The ACC model for intelligence support to policy may underplay the importance of a variety of other decision-support inputs for national law enforcement policy and strategy development (Mitchell, 2007; pp. 75-85).

A cornerstone of the ACC's strategic intelligence work is the development of the Australian Criminal Intelligence Database (ACID) and Australian Law Enforcement Intelligence Network (ALEIN) IT solution to intelligence sharing on serious and organised crime (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Analysis of the role of ACID and ALEIN reveals that the ACC acknowledges, through Strategic Goal Three, that there is a difference between *'intelligence'* and *'information'*. Furthermore it articulates within this goal that it has a role to play in collecting and disseminating both criminal information and intelligence.

5.5 Special Coercive Powers

To achieve its mission the ACC can draw upon '*special coercive powers to obtain information that cannot be accessed through traditional policing methods*' (ACC, 2009a). The ACC's special coercive powers serve as one of the few primary information collection capabilities available to the Commission. The application of the ACC's coercive powers is strictly controlled. The preparation process for special hearings requires the allocation of significant intelligence and investigative resources. Information that is collected through the special coercive powers must also be analysed before intelligence can be created. As a result, traditional intelligence questions of proportionality and return on investment must be considered before the powers are applied (Kahn, 2009).

Coercive powers allow an Examiner, on behalf of the ACC, to:

- *'Summon any witness to appear before an Examiner under section 28 of the ACC Act';*
- *'Require that witness to give evidence of their knowledge of matters concerning the criminal activities involving themselves and others upon whom an investigation or intelligence operation is focused';* and

- *'Require the person to provide documents or other things to the Examiner under section 29 of the ACC Act.'* (ACC, 2009a)

5.6 ACC's Conceptualisation of TOC

Like CISC, the ACC has been set the difficult organisational goal of transcending traditional jurisdictional boundaries, and limitations, through the integration of intelligence and criminal information reporting and analysis (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). In contrast with CISC and SOCA, the ACC strategy adopts active intelligence collection and intervention roles to achieve its outcomes (ACC, 2011a; and Rogers, 2009). Based on the evidence provided in the CISC and SOCA case studies strategic intelligence in law enforcement need not involve the conduct of intelligence or covert operations.

Underpinning the ACC's strategy selection is its conceptualisation of OC as a threat adversary (see also all ACC sample documents). The nature of this TOC threat is understood by the ACC through the use of intelligence that is dually focused on both criminal markets and threats (Gimber, 2007).

At the strategic level the ACC conceptualises TOC primarily from a market perspective (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC's strategic intelligence is focused on understanding the wholesale level of illegal commodity markets (Rogers, 2009; and McDowell, 2009). Significant ACC strategic intelligence resources are committed to estimating the sector and whole market costs of TOC in Australia in a quantitative sense. This approach promotes the use of an aggregated analysis technique to estimate these markets (Klerks, 2007). The ACC intelligence products that provide strategic assessments of TOC are primarily based on the aggregation of various data sets from across the Commonwealth's jurisdictions (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Chapter Four has already highlighted many of the problems associated with such an approach.

The literature, as it relates to intelligence, has consistently and vehemently argued that the development of strategic intelligence involves far more than the collation and aggregation of all available information (Lefebvre, 2010; pp. 235-237; and Hulnick, 1999 and 2002). Strategic intelligence involves a complex process of evaluating and synthesising all-source data and information which includes the following specific activities:

- Information is compared with existing knowledge and intelligence to identify facts and errors (McDowell, 2009).
- Discreet data is analysed to determine its '*nature, proportion, function, relevancy, and any interrelationships*' (Lefebvre, 2010; pp. 235-237).
- Information is collated, compared and contrasted. This process is then used to '*make predictions, gain insight, identify information gaps, or explain a complex set of facts and relationships*' (Lefebvre, 2010; pp. 235-237).

The reliability of the ACC's theoretical model for the production of strategic intelligence is challenged by the nature of unreported crime (Ratcliffe, 2008a). The ACC intelligence model focuses on the collation and analysis of jurisdictional crime reporting (see also all ACC sample documents). The ACC intelligence model concentrates on the analysis of reported or what is often termed by academic sources as '*known crime*' (Rogers, 2009). The accuracy of intelligence products that analyse only reported crime—which represents only a small proportion of total criminal incidents when compared with the unreported component of OC—impacts on the accuracy of the overall picture of criminality (Ratcliffe, 2008, pp. 42-62).

At the operational and tactical level the ACC adopts a threat focus for its intelligence analysis of TOC (see also all ACC sample documents). In this approach interventions and assessments are based on a planning model that targets the achievement of enforcement-centric threat mitigation strategies (ACC, 2011a and McDowell, 2009). ACC performance measures do not consider the overall impacts of its outputs on illicit markets. Furthermore, the ACC's organisational level outputs are not overtly concerned with directing enforcement efforts towards achieving specified impacts on criminal markets (Schneider and Hurst, 2008). As a result, the ACC's performance measures are not based on impacts on criminal markets at the strategic level, but the impacts on threats through tactical enforcement interventions (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Talaga and Tucci, 2008); that is, the ACC's work is measured by quantitative factors such as arrests and seizures (ACC, 2011). These performance measures are counter intuitive to the ACC's organisational aim.

In conceptualising TOC the ACC makes an assumption that the national response and national threat is equally distributed across the nation in a geographical and conceptual sense (Rogers, 2009). This approach is underpinned by the argument that the overall picture of OC is comprised of all of the reported elements of crime analysed in equal measures (Gibson, 2009). In adopting this approach the ACC takes the theoretical position that crime follows historical patterns. This conceptualisation fails to address the reality of 21st century entrepreneurial TOC groups (Gibson, 2009; and Vassalo and Case, 1996). A number of academics in the TOC field of study have found that historical patterns of criminality are not an accurate predictor of future crime (Gibson, 2009; Vassalo and Case, 1996; Cockayne and William, 2009; and Davis, 2007).

5.7 ACC's Conceptualisation of Strategic Intelligence

A review of the *Australian Crime Commission Act 2002* (the Act) as well as the ACC's corporate publications fails to reveal any detailed or specific definition of intelligence (see also all ACC sample documents). The absence of a universal definition and any acceptance of underlying assumptions supports the need for detailed analysis of the ACC's corporate documents in order to understand intelligence in law enforcement. Through the conduct of content and discourse analysis of ACC corporate documents the nature and role of strategic intelligence in the ACC can be explored.

Detailed analysis of corporate reporting indicates that the ACC recognises at the organisational level that there is a difference between criminal information and intelligence (see also all ACC sample documents). This same reporting indicates that within the ACC there is a close relationship between *'criminal information'*, *'crime analysis'* and *'intelligence analysis'* (Rogers, 2009; and McDowell, 2009). The ACC's conceptualisation of strategic intelligence argues that crime analysis can be used in the development of information on crime and strategic intelligence (Rogers, 2009). However, within the ACC intelligence model crime analysis does not produce strategic intelligence (ACC sample documents).

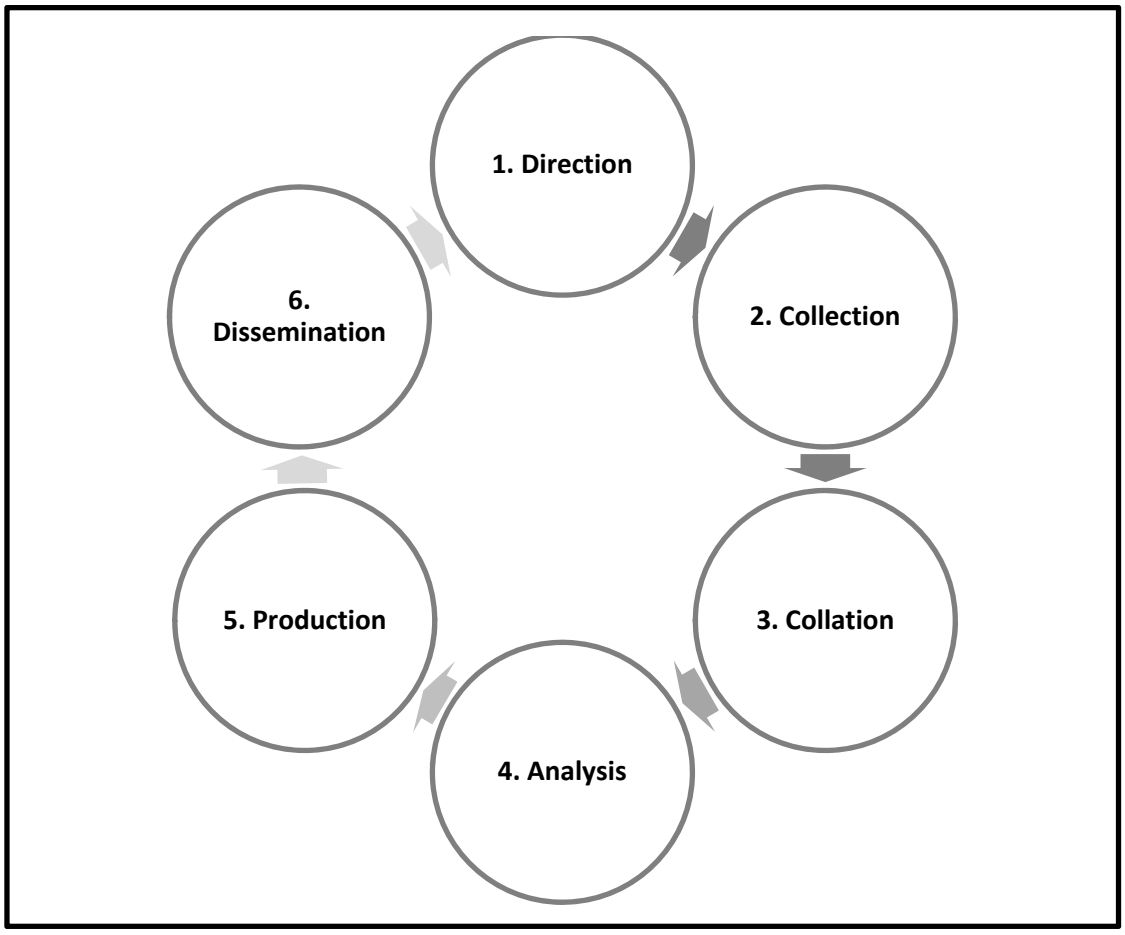
In contrast to Ratcliffe's (2008a; pp. 109-111) 3-I Model, the ACC does not see intelligence outcomes directly linked to influencing action (Ratcliffe, 2008a; pp. 109-111). ACC tactical intelligence is linked to better targeting, whilst strategic intelligence is linked with providing decision-makers with context (see also all ACC sample documents). The implied aim of such context is to support action, or planning for action. Some supporters of ILP argue that the ACC model still supports the relevancy of the 3-I Model, as the implied intent of intelligence could be conceived as being to influence (Ratcliffe, 2008a). The 3-I Model's (Ratcliffe, 2008; p. 111) conception of influence for intelligence is, however, clearly articulated as seeking to steer the decision-maker to a specific decision outcome.

The ACC has allocated its strategic intelligence capability across its organisational structure using a decentralised model. As a consequence strategic intelligence responsibilities reside in a number of different ACC business areas, which are often in different reporting chains in the organisational structure (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). This decentralised model has been applied to the ACC's comparatively modest strategic intelligence capability despite the fact that it is central to the ACC's achievement of its Outcomes and Output Framework (Rogers, 2009).

The ACC has based its intelligence model, processes and structures on a modified version of the widely accepted intelligence cycle (see Figure 5.4) (Kahn, 2009). Rather than using the intelligence cycle as a simplified model for understanding the intelligence production process the ACC has adopted it as a structural model. In adopting this model the ACC has conceptualised the intelligence cycle as a model for the end-to-end processing of intelligence (see also all ACC sample documents). The intelligence cycle has become the defining methodology underpinning the ACC's organisational framework (Rogers, 2009; and McDowell, 2009). The ACC has chosen to divide responsibility for the discreet stages of the intelligence cycle across the organisation rather than concentrate discreet analytical constructs or concepts within the same business units (Davis, 2007).

Figure 5.4 provides a graphical representation of the ACC's conceptualisation of the intelligence cycle. This model has been developed from analysis of a range of ACC reports and documents (see also all ACC sample documents). This model represents the ACC intelligence cycle from an organisational viewpoint rather than from an analyst or work unit perspective. The ACC, especially at the strategic level, has chosen to structure itself along the lines of the intelligence cycle. This structure results in separate divisions of the ACC performing specific steps in the intelligence development cycle. The approach does not draw from contemporary intelligence theories from either intelligence studies or law enforcement intelligence (see also Hulnick, 2002; pp. 1-23 and Ratcliffe, 2009 pp. 6-7).

Figure 5.4 — ACC Intelligence Cycle
(Source: Created by the Author based on ACC sample documents**)**



The direction phase of the ACC's intelligence cycle has been delegated away from analytical teams to the Stakeholder Engagement Unit of the Performance and Stakeholder Relations branch (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The Strategic Intelligence Analysis Unit and intelligence production are subsequently isolated from the client within the ACC organisational structure (Robbins, Millet and Waters-Marsh, 2004; pp. 307-330). This places a great deal of importance on internal organisational communication (Hulnick, 2002). From an intelligence studies perspective, this structure presents substantial risks (see also Herman, 2007). The risks are associated with the ability of the structure to support analysts

to develop a detailed understanding of client needs (Herman, 2007). This approach does avoid the problem of intelligence being too closely associated with policy (Davis, 2003b), but subsequently runs the risk of not being close enough to policy and decision-makers to ensure that intelligence products have the greatest impact and influence (Hulnick, 1999).

Another peculiarity of the ACC intelligence model's direction phase is the importance it places on internally-generated intelligence priorities (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC Board-determined National Criminal Intelligence Priorities (NCIPs) provide strategic direction and priorities for the ACC, amongst other functions (ACC, 2011). The NCIPs are internally generated (Gill, 2006). Although it could be argued that these are reviewed by the Minister responsible and the members of the ACC Board it still seems to be self-generated when no other alternative is presented to the decision-maker (Davis, 2007). This approach to strategic intelligence direction places police in charge of setting their own organisational priorities through directed intelligence (Gimber, 2007). This could result in the prioritisation of what is already known rather than an unbiased assessment of what should be considered.

The ACC intelligence structure increases the risk that accumulative analysis will impact upon national-level assessments, and subsequently obfuscate emerging problems (Davis, 2009; and Walsh, 2010). In this scenario a significant national jurisdictional threat may be viewed by the ACC as a lower priority than a threat involving offences that have been committed across or within numerous jurisdictions (see also Gimber, 2007). This risk is generated as much by a misunderstanding or incongruence of understandings relating to a Commonwealth or national perspective by the ACC, as one related to intelligence processes.

Another interesting component of the ACC intelligence model is the splitting of the production and dissemination phases of the intelligence process (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Although many law enforcement and national security agencies split the final production and dissemination phases from analytical processes this would appear to not be without risks (Davis, 2003b). This organisational structure could result in the editorial and production processes homogenising intelligence products and processes.

The ACC strategic intelligence model's aim of developing '*context creating strategic intelligence*' does not align with its Outcome and Outputs Framework or key performance indicators (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC's key performance indicators remain focused on tactical activity and tactical performance measurement relating to threat (Talaga and Tucci, 2008). The ACC's tactical intelligence is target-focused, which would appear to be the same intelligence role as that undertaken by its key partner agencies (Sheptycki, 2007).

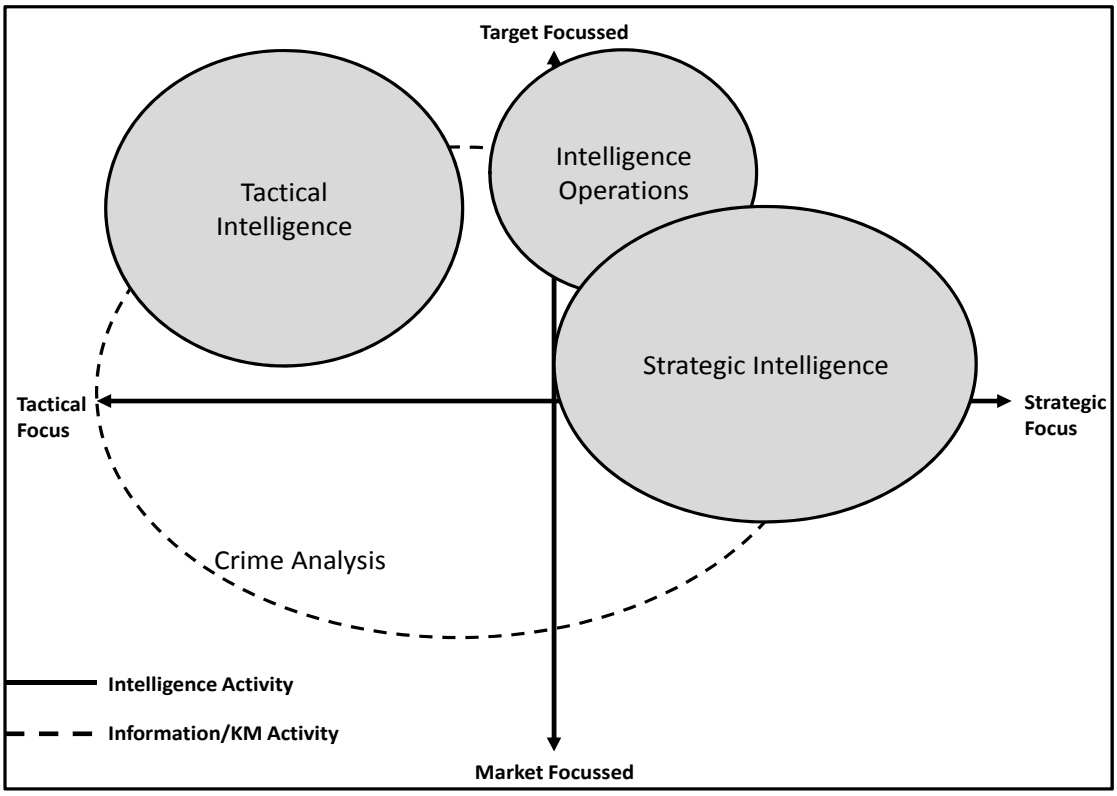
The ACC analytical processes are organisationally removed from client direction and information collation processes (discovery processes) (see also all ACC sample documents). This organisational structure places pressure on internal ACC networks to communicate client requirements to analysts (Robbins, Millet, and Walters-Marsh, 2004; pp. 463-492). The ACC organisational structure also separates the development and dissemination of products from analytical processes. In this structure there would appear to be little direct communication between clients and intelligence analysts (Davis, 2007). The confusion in the analytical process that results from client distance is most likely exacerbated by the separation of the collation and collection process from the analytical process (Herman, 2007). This structure reduces the positive results for analyst outputs associated with understanding collection capabilities and their limitations. The structure also denies analysts the benefits of participating in the natural discovery process associated with collection and collation (Herman, 2007).

Using the content and discourse analysis, ACC tactical and strategic intelligence, crime analysis and intelligence operations were conceptually mapped to gain an understanding of their focus (see Figure 5.5). Figure 5.5 maps each of these outputs on a surface chart using two dimensional continuums. The horizontal continuum is based on a tactical strategic focus continuum. The perpendicular dimension maps the target market continuum. This mapping framework was adapted from the literature using the works of McDowell (2009), Ratcliffe (2003) and Quarmby (2009) which highlight the importance of these continuums to intelligence theory.

Analysis of Figure 5.5 reveals that ACC intelligence products have a threat, rather than market focus, due in part to an organisational preoccupation with identifying and ordering targets (see also all ACC sample documents). This could be driven by the nature of the ACC's tactical performance measures. Furthermore, the historical offender-focus of law enforcement in Australia may explain the development of such tactical performance measures for a strategic organisation (Ransley and Mazerole, 2007; pp. 37-38). What this analysis also indicates is that the ACC is a strategic organisation whose activities overwhelmingly trend towards tactical objectives and outputs.

The ACC's crime analysis activities provide it with the majority of its intelligence coverage of criminal or illicit markets (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Rogers, 2009). Figure 5.5 reveals that ACC crime analysis activities cover much of the same conceptual focal area as intelligence (see also all ACC sample documents; and Howlett, 2009). The conceptual mapping of the ACC's tactical and strategic intelligence theory reveals very little overlap of responsibilities (see also all ACC sample documents; and Howlett, 2009).

Figure 5.5 — ACC Product Focus
(Source: Created by the Author based on ACC sample documents**)**



The substantial crossover of conceptual responsibilities between crime analysis and intelligence within the ACC's enforcement theories need not be a problem for clients if the strengths and limitations of each process output are understood (Ratcliffe, 2008a; pp. 91-101). Within the ACC's intelligence doctrine initial collection and collation stages of the intelligence cycle are similar to those undertaken for crime analysis purposes (McDowell, 2009). The similarities in intelligence and crime analysis outputs may result in ACC client confusion over the purpose, strengths and weaknesses of specific products.

Figure 5.6 provides a formulaic definition of the relationships between crime analysis and intelligence within the ACC intelligence model. Within this formulaic theoretical construct crime analysis is identified as an output that is not the same as (not equal too) intelligence, strategic intelligence or tactical intelligence. Davis (2007) and Walsh (2011) strongly support this view point. The final formula in Figure 5.6 highlights that, contrary to the findings of Dean and Gottschalk (2007), crime analysis can be a sub-element of intelligence production. The separation of intelligence from information management and crime analysis has been supported by a wide range of research (see also Davis, 2007; Walsh, 2010; and Quarmby 2009).

Figure 5.6 — ACC Crime Analysis/Strategic Intelligence Formulas
(Source: see also all ACC sample documents**)**

Crime Analysis ≠ Intelligence

Crime Analysis ≠ Strategic Intelligence

Crime Analysis ≠ Tactical Intelligence

Intelligence = Intelligence Analysis + (Crime Analysis + All Source Collation)

The ACC's intelligence model introduces one of the major theoretical anomalies in law enforcement intelligence: intelligence operations (Johnson, 2009; and Kahn, 2009). Intelligence operations within the ACC context relate to a law enforcement operation that is undertaken to collect, collate, analyse and disseminate criminal information and intelligence relating to a federal offence (ACC, 2011a). More specifically the ACC defines it as:

> *A Special Intelligence Operation (SIO) focuses on gathering intelligence on a particular criminal activity so informed decisions can be made about the extent, impact and threat of criminal activity. The use of coercive powers has been approved by the Board for SIOs. (ACC Act 2002)*

Intelligence operations in this sense relate to an activity that is focused on developing an understanding of a problem or target rather than disruption, detection, prevention or investigation of criminal threats (ACC, 2011; and Kahn, 2009). With this definition in mind ACC '*intelligence operations*' should not be considered the same as those covert actions that are defined as intelligence operations within national security intelligence and the field of intelligence studies (Kahn, 2009).

Commentators such as Rogers (2009; pp. 13-28) argue that the ACC is an intelligence collection agency. The ACC's intelligence collection capabilities are strictly limited to information collected using its hearing powers, surveillance and human source activities (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Conceptually, strategic intelligence within the ACC has the ability to actively interpret the environment through intelligence operations rather than passively analyse information collected for a variety of purposes. Regardless, it is proposed that any definition or model of strategic intelligence in law enforcement should not include reference to intelligence operations as defined within academic discourse on national security intelligence.

The ACC strategic intelligence model appears to be premised on an assumption that law enforcement responses should remain predominantly reactive and jurisdictionally focused (ACC, 2008d). Initial analysis of ACC intelligence products identifies limited efforts by ACC analysts to provide predictive intelligence to guide proactive strategies (see also all ACC sample documents). This, combined with the ACC's significant crime analysis responsibilities, contributes to increased confusion over the role of intelligence and its differences from criminal information (Rogers, 2009; and George and Bruce, 2010).

Although the ACC underpins its organisational strategy with reactive and jurisdictional assumptions about strategic intelligence it still argues that '*proactive and specialist approaches are critical to the success of efforts*' (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Content analysis of ACC intelligence products and corporate reports revealed that there are conflicting organisational viewpoints on strategic intelligence's role. This analysis indicates that strategic intelligence is often perceived by its creators as being concerned with guiding the application of the ACC's specialist or '*niche*' capabilities; such as its hearing powers. In making these links analysis did not reveal how the application of these niche capabilities fits within the framework of a strategic intelligence organisation, or develops a contextual strategic understanding of criminality.

Within the ACC's strategic intelligence model, direction for the intelligence processes appears to be self-generated by the organisation's own intelligence products (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; Rogers, 2009 and Herman, 2007). Although the ACC canvasses partner agencies for input into many of its assessments, the collation and weighting of data is based on a hybrid, subjective aggregation model of intelligence analysis (see also all ACC sample documents). The 3-I Model could be used to conceptually argue that this approach will result in outcomes and intelligence efforts focused on the issues at hand rather than those that have been politically developed (Ratcliffe, 2008a). Alternatively, it could be argued that the ACC approach has a limited opportunity to view or identify emerging or future trends as its direction phase is focused on what is already known (Hulnick, 1999 and 2002; and Quarmby, 2009).

The ACC's strategic intelligence model's application of aggregation or accumulation analysis —of threat and risk profiles—skews the Management Board's list of priority targets, as well as its priorities (Klerks, 2007). This finding is supported by the comments of research participants (003-005, 015, 018 and 43) who revealed that the AFP's and ACC's lists of top targets do not match. Although the ACC and AFP are different organisations with different roles the national criminal target list should serve as a prioritisation tool for Australian law enforcement. The fact that the lists do not match is evidence of a problem which limits the utility of the target list for the AFP. The issues associated with the outcomes of this model can be best illustrated with an example: a threat may be nationally significant—significant to the AFP and or the Commonwealth Government—whilst being of little or no interest in other jurisdictions. Alternatively, a threat or risk may be present in a small number of state or territory jurisdictions and as such the ACC Board may escalate it in the national target priority list because accumulatively it is present in a number of jurisdictions. At the same time this aggregated threat may not be a threat of any relevance to the Commonwealth or the AFP—in other words, to the national jurisdiction.

The ACC's strategic intelligence model makes some additional assumptions about justice/crime policy development, and the roles of intelligence and policing in these processes (Harfield, 2008; and Hastedt and Skelly, 2009). The ACC's strategic intelligence model adopts a support role that is subordinate to the policy development process (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Rather than adopting a 3-I Model approach the ACC model aims to provide context for the decision- or policy-maker (Ratcliffe, 2008a). Policy formulation is viewed as a process that is external to law enforcement (Quarmby, 2009). This is premised on an assumption that law enforcement and policing roles are limited to an enforcement function. Furthermore, this conception reduces law enforcement's ability to generate proactive strategies that include whole-of-government policy development (Mitchell, 2007 and Gimber, 2007). The ACC model argues that strategic intelligence supports, but does not participate in, policy formulation (Rogers, 2009). The ACC conceives intelligence's impact on policy to be passive in nature along with that of law enforcement (Guidetti, 2006). It could be said that the ACC strategic intelligence model is isolationist in nature when the policy development process is considered.

The ACC's strategic intelligence model's focus on providing context and understanding appears to be driving greater attention towards bridging the divide between intelligence, crime analysis and knowledge management (KM) (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). This development in the model becomes increasingly evident in ACC discourse when IT solutions are considered. The ACC's continued focus on the development of an IT system is corporately linked with intelligence (see also all ACC sample documents). An IT system that encapsulates cross-jurisdictional data will be of untold benefit to investigations and intelligence. But the system itself is a repository of criminal information and its exploitation will involve crime analysis producing criminal information rather than intelligence (Ratcliffe, 2008a). The use of data entry performance measures is indicative of a strategy and model that is focused on process rather than holistic strategic law enforcement results (Ratcliffe, 2008a). Increased uploads of data to an IT system, by itself, has no definitive link to achieving the ACC's strategic aims.

5.8 Intelligence products

The ACC produces a range of intelligence products focused on meeting the needs of an equally diverse range of clients (see also all ACC sample documents). The ACC argues that its intelligence products and services are tailored for law enforcement, government and private sector clients (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The ACC's strategic intelligence processes and products are underpinned by an assumption which recognises that any OC management strategy will require the support of each of these stakeholder groups (law enforcement, public and private sectors) to varying degrees (Ransley and Mazerole, 2007; pp. 37-38). A number of ACC intelligence products are nationally classified, which restricts their dissemination outside of the public sector. Whilst necessary, the application of protective security measures for nationally classified material often prevents the ACC from sharing intelligence with private sector clients, including industry groups.

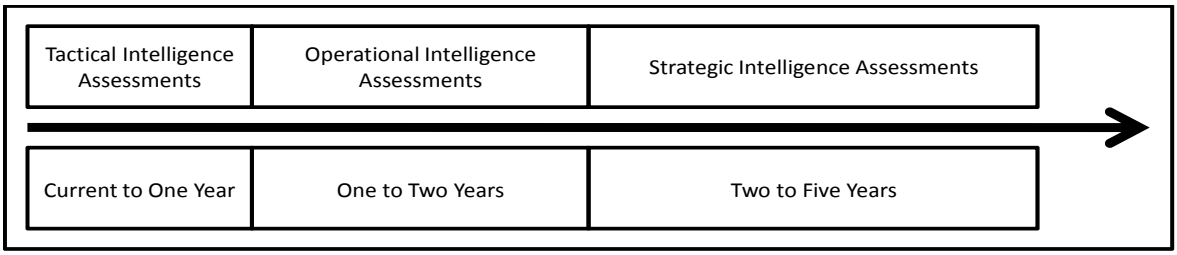
The ACC's intelligence products are developed and disseminated to provide *'specified agencies and the ACC Board with the ability to':*

- *'Understand the nature of organised crime in Australia, informing strategic policy and law enforcement decisions';*
- *'Consider the implications of future changes to criminal markets and criminal activities'; and*
- *'Understand intelligence issues resulting from operational activity.'* (ACC, 2011a)

The ACC argues that the majority of their intelligence products are developed to provide decision-makers with the context to understand emerging threats (see also all ACC sample documents). In adopting this strategy the ACC assumes that their intelligence teams understand the current and emerging decisions faced by decision- and policy-makers (Marrin, 2009a; pp. 131-151). This reaffirms the importance that Herman (2007) places on the close relationship between client and intelligence analysts. This data indicates that strategic intelligence analysts and their managers must have a detailed understanding of their client needs and challenges so that they can provide effective intelligence products.

The ACC defines the focal point of its intelligence products with a time-based continuum to differentiate between tactical (named by the author), operational and strategic intelligence (see Figure 5.7) (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Roger, 2009). In this model tactical intelligence deals with products that are designed to satisfy immediate imperatives, while operational reports focus on one to two years out from their publication (ACC, 2011). In contrast, strategic intelligence products provide assessments out to five years from publication (McDowell, 2009).

Figure 5.7 — ACC Intelligence Product Timeline
(Source: ACC, 2011, 2011a, 2011b, 2011c, and 2011d)



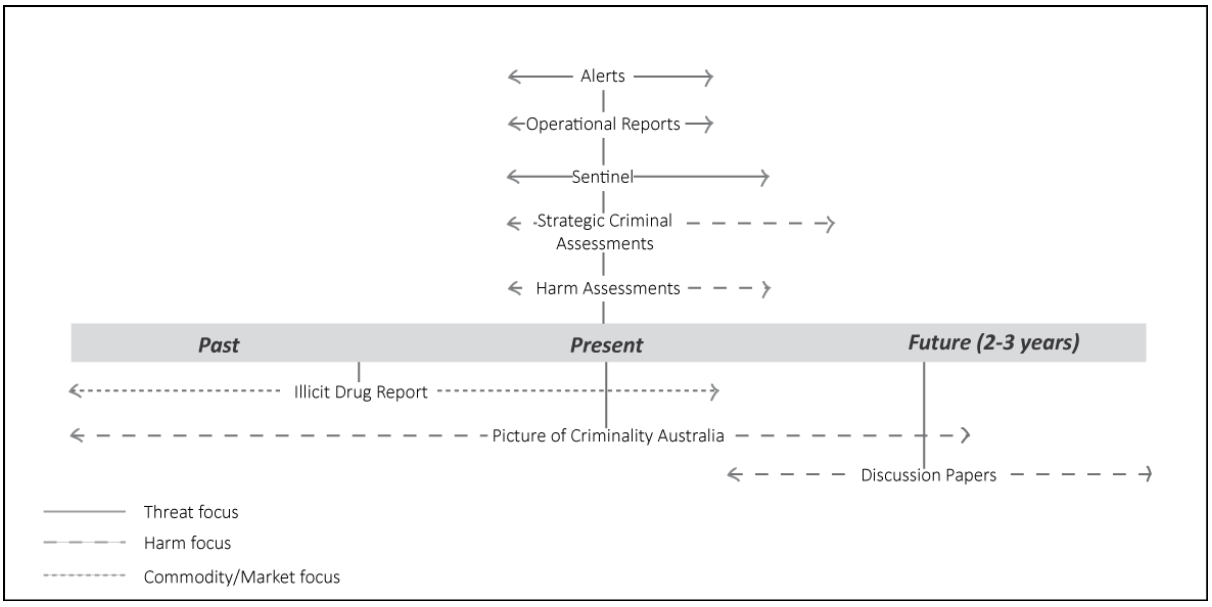
The ACC's time-focused approach appears to have been established on a one-dimensional, simplified conceptualisation of decision-making impacts (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Kahn, 2009). The approach fails to acknowledge that the nature of law enforcement decision-making has changed dramatically from pure response work towards proactive networked problem solving (Flood and Gaspar, 2009; and Hill, 2005). In this contemporary conception of law enforcement an assessment that deals with an issue of immediate priority may be supporting a decision that is both tactical and strategic in nature (Hastedt and Skelly, 2009).

At times the ACC operates an alternative approach to this continuum (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). In this alternative approach an intelligence report is categorised by the level of decision-making (strategic, operational or tactical) related to its content (McDowell, 2009; and Ratcliffe, 2009). This approach is an abstract construct as the nature or importance of a decision may not be truly evident until after the decision has been made (Gill, 2006). This may be a further indicator that supports the inclusion of both macro and micro assessments within all intelligence reports. This kind of macro and micro assessment allows all clients to understand the tactical, operational and strategic significance of an intelligence product. In this proposed framework the intelligence analyst's role is enlarged to include the communication of strategic awareness. The intelligence analyst is thus responsible for ensuring that an intelligence product provides a decision-maker with sufficient content to align decisions from tactical, to operational and strategic levels as well as back again in near real time (Gill, 2006).

Figure 5.8 illustrates from a timeline perspective how the ACC intelligence product lines have a wide coverage of illicit markets. Under more detailed analysis the ACC's breadth and depth of market analysis is relatively shallow (ACC, 2011; and Rogers, 2009). The ACC's description of the content and purpose of its Illicit Drug Report (IDR) indicates that it serves as an encyclopaedic criminal information product as opposed to a product of strategic intelligence analysis. In contrast the strategic coverage of criminal markets is limited to Horizon products that examine the market from a micro-issue perspective. As a result, the strategic intelligence coverage of Australian OC markets is limited and shaped by micro, rather than macro, analysis (Rogers, 2009; and Quarmby, 2009).

Figure 5.8 — ACC Intelligence Products

(Source: Created by the Author based on ACC sample documents**)**



The ACC's harm-focused intelligence reports have a wide time continuum-defined coverage of tactical, operational and strategic intelligence (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). That said, ACC intelligence products primarily operate within operational intelligence time frames (McDowell, 2009). Figure 5.8 indicates that, by using its own definitions, ACC intelligence products are primarily tactical and operational in nature. This would appear to be inconsistent with the ACC's role as the national strategic criminal intelligence agency (ACC, 2011a).

Further analysis of ACC product lines reveals that there is some repetition of effort within and between intelligence product lines (see also all ACC sample documents). This includes a similar reporting focus and analytical time frames between report product lines. This becomes particularly evident when the target time frame of analysis for each product is considered. Almost all of the ACC's intelligence and crime analysis products focus on tactical or operational time frames. The remaining products appear to have a strong encyclopaedic or KM purpose (McDowell, 2009). These reports tend to be long-format, estimative products that have little strategic intelligence purpose as far as assessments are concerned (Davis, 2007). These reports have the added benefit of utilising cross-jurisdictional reporting (McDowell, 2009). But this argument can be countered on the basis that the data are already available to existing national, state and territory law enforcement and policy agencies.

The ACC's threat-focused intelligence products are focused on the dissemination of operational crime analysis and intelligence (see also all ACC sample documents). On this basis alone the ACC may not be fulfilling the role of being Australian law enforcement's strategic intelligence agency (see also Quarmby, 2009). This assessment is primarily based on critical analysis of the ACC's intelligence products' focus and research interviews (Respondents 001-046). Through the production of current and encyclopaedic intelligence reporting, as opposed to strategic intelligence (as defined within the ACC's intelligence model), the ACC is competing with a number of other Commonwealth departments and agencies as well as state and territory jurisdictions.

The Picture of Criminality Australia (PoCA) is a strategic, harm-focused assessment of criminality (OC and TOC) in Australia (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). In providing this assessment the ACC posits that the PoCA is dually focused on current and emerging issues. The PoCA was developed to focus on much more than a summary of harm caused by OC in Australia (ACC, 2011a; and Rogers, 2009). Instead, the ACC developed it as a mechanism for measuring, and by default benchmarking, OC harms in Australia (ACC, 2011, 2011a, 2011b, 2011c, and 2011d; and Hill, 2005). With this benchmark, the ACC Board envisaged that ACC intelligence analysts and clients could identify current and emerging strategic issues (ACC, 2011c).

The development and ongoing preparation of the PoCA is based on three critical underlying theories (Rogers, 2009):

- Firstly, the ACC intelligence model assumes that criminality follows specific historical factors; historical and current reporting will indicate future activity (ACC, 2011).
- Secondly, police indices and all-source reporting of criminality is representative of the whole picture of criminality; including the grey element that is neither known nor understood (Ratcliffe, 2008).
- Finally, there is an underlying assumption that the criminal community can be summarised into generic rational clusters of behaviour, and that these clusters share the same level of knowledge of law enforcement and opportunities (Harfield, 2008).

There does not appear to be any significant link between the PoCa and national or jurisdictional planning processes (ACC, 2011, 2011a and 2011b). Furthermore, the linkage between the assessment and decision-makers is not clear (Hulnick, 2002). The report is not solely an intelligence report; rather, like its sister publication the IDR, it includes summaries of operational work and impacts of disruption and dismantling activities (ACC, 2011). Geographically speaking the ACC seeks to move beyond traditional jurisdictional boundaries by including data from all levels of law enforcement within Australia but the overall focus is from the border inwards (Ratcliffe, 2009; and Rogers, 2009).

The IDR is a national-level assessment of the data available to the ACC on the Australian illicit drug market (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Content analysis of the last three IDRs reveals that this product is an encyclopaedic criminal information product, supported by extensive crime analysis (McDowell, 2009). This report format is encyclopaedic in nature as it is a vehicle for the collation of all known drug data for a given year (ACC, 2010b). Content and discourse analysis of the IDR failed to identify any significant assessment that is forward-focused (ACC, 2009b, 2010b and 2011d). The vast majority of the report's analytical content is designed to provide technical and statistical analysis of quantitative data (ACC, 2011d). The statistical validity of the report is difficult to ascertain given the absence of scientific details relating to such issues as sampling techniques and analytical methods (Barzun and Graf, 2004). The report provides little content that fits into the ACC's doctrinal definition of operational or strategic intelligence (McDowell, 2009; and Rogers, 2009).

The IDR is focused on reporting historical drug data and encyclopaedic intelligence rather than being forward-focused (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). The extensive data sets required to produce such a detailed report and its long format reveal an equally long production cycle (see also McDowell, 2009). The long format drastically impacts upon the report's timeliness—and ultimately its relevance (Kahn, 2009). This encyclopaedic crime analysis approach to strategic intelligence is not without merits or clients (Ratcliffe, 2008a). Regardless of its utility, the IDR does not entirely comply with either the ACC intelligence model or its doctrine. Additionally, how critical the IDR could be in the development of proactive law enforcement policy is questionable given its encyclopaedic focus (see also Best, 2010). The utility of the IDR can be further criticised for being premised on a reactive intelligence process in comparison with a flexible proactive criminal adversary (Walsh, 2011; pp. 171-177).

The ACC introduced the Horizon Intelligence Reports in 2008 (ACC, 2008). Horizon Reports were developed by the ACC as a vehicle to drive the development of policy responses for emerging (medium and long-term) or future crime-type trends (ACC, 2008). The aim of the reports was to provide decision-makers and policy staff with a detailed analysis of emerging trends and changes in the criminal environment that may present as a future challenge. The process was not meant to be an exercise in worst case scenario modelling, but a means by which policy could avoid reactive policy development (Quarmby, 2009; and Best, 2010).

The Horizon Reports are developed to be a support tool for the early identification of emerging law enforcement issues (ACC, 2008). The actual purpose of this early warning is to avoid the policy scramble that is often associated with unforseen crime trends (Carter and Carter, 2009). The product line's forward focus inevitably results in a number of cases of false positive reporting (Davis, 2009). The forward focus places additional importance on supporting reports, such as environmental benchmarking (PoCA) and the policy analysis relationship. ACC doctrine indicates that through benchmarking and policy input the number of false positive early warnings could theoretically be reduced (Davis, 2009).

A review of the topics covered by Horizon Reports to date fails to identify any consistent pattern in identification of reporting topics. The first three Horizon Reports were focused on high petrol prices, food shortages and global pandemics and the impact of OC (ACC, 2008a, 2008b, and 2008c). These are possible eventualities, but in light of other more significant and likely events the Horizon Reports present as an example of worst case scenario modelling (Quarmby, 2009; and Best, 2010). Although the Horizon Reports are developed on sound intelligence doctrine the ACC has experienced difficulties in establishing both a client base and selecting relevant subject matter (ACC, 2011). This is evident by the choice of topic and level of analysis within the reports. The variety of potential subjects and the resource intensive nature of supporting research make topic selection important (Quarmby, 2009).

The ACC introduced its Sentinel Strategy to develop an indicators and warning system for emerging TOC threats (ACC, 2009). The system was developed as an additional mechanism for identifying emerging issues and threats (ACC, 2011). The Sentinel Strategy appears to have been closely based on the CISC indicators and warning system with which it shares many similarities (CISC, 2007a). The ACC claim the strategy was to be a '*new approach*' to countering OC harms and threats (ACC, 2009a). In practice, however, the Sentinel Strategy is a system for identifying and prioritising OC targets for disruption activities (Rogers, 2009).

The CISC sentinel strategy's indications and warning system utilises national security intelligence doctrine to underpin its operations (ACC, 2009a; and Davis, 2009). Cavelty and Mauer (2009) argue that a fully functioning indications and warning system requires extensive intelligence support to be effectively implemented. The availability of these analytical and collection resources within either the ACC or wider Australian law enforcement community is unlikely, given that existing resources are oversubscribed dealing with existing criminal matters (Best, 2010).

Strategic Criminal Intelligence Assessments (SCIAs) are ACC assessments of the harm implications of threat-level movement resulting from emerging or possible changes in criminal markets or crime types (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). SCIAs are detailed assessments designed to provide policy decision-makers with sufficient contextual understanding of a change in order to develop and implement strategies to deal with it. Since 2010 the ACC's Board have used SCIAs to inform their deliberations on specific policy directions for the ACC (ACC, 2011a).

The SCIA's development process takes a dual approach to estimating and assessing harm implications: a criminal organisation threat assessment and criminal market place analysis (ACC, 2011, 2011a, 2011b, 2011c, and 2011d). Threat assessments begin with the articulation of the threat issue which provides direction for the intelligence process (McDowell, 2009).

The SCIAs could potentially be focused on all TOC, OC and serious crime that impact on Australia's citizens and their interests. This presents as an extremely broad direction for the assessment process. As a result, even before the process of analysis begins there is a requirement to prioritise the allocation of the limited strategic analysis resources (ACC, 2011a; and Best, 2010). ACC market place analysis provides a means to inform the prioritisation of these limited intelligence resources (Rogers, 2009). Market place analysis allows ACC analysts to '*identify and contextualise*' specific threat issues (ACC, 2011, 2011a, 2011b, 2011c, and 2011d).

The ACC's SCIAs are underpinned by a modified Sleipner threat measurement technique (Tusikov and Fahlman, 2009). The ACC assessment of harm is dually focused on Commonwealth partners and the national perspective. The accuracy of the end product of this accumulative analysis approach is not relevant to either Commonwealth or national clients (McDowell, 2009).

The ACC argues that its Strategic Intelligence Reports (SIRs) provide '*predictive analysis out to two years, to inform senior law enforcement decision-makers of current and emerging issues in the criminal environment*' (ACC, 2011b). The time focus of the SIR is difficult to establish given the conflicting time frames defined in the ACC's various corporate documents and intelligence doctrine (see also all ACC sample documents). The ACC's intelligence doctrine indicates that strategic assessments are focused on time frames of two to five years (Rogers, 2009). Regardless of which specific timeline definition is used SIRs are future-focused (ACC, 2011b; and McDowell, 2009).

SIRs are used by the ACC to disseminate strategic intelligence in support of client strategic decision-making and strategy development processes (ACC, 2011b). ACC doctrine argues that although strategic in nature, these client decisions also have operational implementation strategies associated with them (ACC, 2011 and McDowell, 2009). Support for this type of decision-making requires analysts to contextualise the analysis contained within the SIR on behalf of the client (Hulnick, 2002; Davis, 2009; and Kahn, 2009). To do so, the analyst examines emerging issues or threats within the context of existing ACC harm assessments and market analysis (Rogers, 2009; and McDowell, 2009). The contextualisation of both harm and threat reduces the risk of SIRs creating continuous and unnecessary change to organisational strategy (Kahn, 2009). The contextualisation of threats and harms within SIRs also assists the ACC Board with the ongoing monitoring of the effectiveness of its organisational strategies (ACC, 2011).

Fingar (2011), states that '*future-*' or '*predictive-*' type strategic intelligence assessments are often based on an incorrect conceptualisation of the role of intelligence and the nature of strategic decision-making. Fingar (2011) and Quarmby (2009) both argue that strategic intelligence should be focused on anticipating changes in the environment in order that decision-makers can seek to mitigate risk or exploit opportunities to shape the future. In this way the activity of strategic intelligence and strategic analysis is about anticipation and drivers for change.

For the ACC, SIRs—if produced and disseminated in a timely manner—have the potential to directly support decision-makers to impact the criminal environment. The ACC SIRs' potential organisational and strategic impact necessitates their judicious application to avoid over production and client desensitisation (Kahn, 2009). The over-production of SIRs increases the risk for intelligence teams that they may be undermining the importance of this report type through over-production or saturating clients with data (McDowell, 2009; and Fingar, 2011).

Discussion papers are used by ACC intelligence staff to disseminate intelligence and information that does not fit in any of the organisation's other intelligence product lines (ACC, 2011b). This product is focused on the activities of serious and organised crime within specific criminal markets. Organisationally the ACC links discussion papers with SCIAs. Discussion papers tend to cover the same '*flavour*' of issues covered by the SCIA product line (ACC, 2011b); the only difference between the two being the decreased analytical certainty that is associated with discussion papers (ACC, 2011b).

The ACC's discussion papers are prepared by intelligence teams when the certainty associated with supporting information, or the assessment, are such that a SCIA cannot be produced (ACC, 2011b). The doctrine for the production of SCIAs and discussion papers illustrates a specific dimension of the underlying organisational and cultural definitions of intelligence within the ACC. These reports highlight how the ACC's formal and informal definitions of strategic intelligence articulate the evolving principal of '*evidenced based intelligence*' (Mitchell, 2007).

The ACC's use of the term '*evidence-based*' indicates that there is a high level of certainty associated with a specific piece of analysis (ACC, 2011b). Within the field of intelligence studies, scholars have consistently argued that intelligence is future-focused and as such is an assessment of possibilities and probabilities at a given time with a given set of supporting data (Cavelty and Mauer, 2009). As such it is unlikely that any future-focused intelligence assessment could be considered to reach the same level of certainty as that required in an Australian court of law (Quarmby, 2009).

The discussion paper report format is more akin to the forward-focused strategic intelligence products of the national security community (ACC, 2011b; and Kahn, 2009). A number of intelligence studies experts argue that the assessment of certainty in forward-focused intelligence analysis is subjective at best (Holland, 2007). Thus it could be argued that SCIAs have a tendency to contain crime analysis whilst the ACC's discussion papers contain more future intelligence.

The ACC has developed a harm assessment process to support the development of the PoCA (ACC, 2011b). The harm assessment process and corresponding report allows the ACC's strategic intelligence function to compare and contrast the security threats posed by TOC (ACC, 2011b). An analysis of the harm methodology used in this process reveals that ACC analysts examine TOC from a threat and risk perspective (Rogers, 2009). This approach does not produce assessments of the harm generated by illicit markets and TOC in its analytical outputs (Howlett, 2009). Rather than being an intelligence product in its own right harm assessments are an internally-generated analytical tool.

Alerts provide the ACC with a product line for the rapid dissemination of information relating to an emerging issue or change which is likely to result in a policy change (ACC, 2011a). To be effective this product line requires analytical and collection staff to understand current strategies and their underlying assumptions (Kahn, 2009; Davis, 2007; and McDowell, 2009). Without this detailed client knowledge it is unlikely the information will be of relevance (McDowell, 2009). The ACC intelligence model's separation of collection and analytics from clients makes the effective production of alerts difficult.

The alert reports allow for the timely dissemination of information-rich and analysis-low reporting by the ACC (ACC, 2011a). The dissemination of such reports is not without risk for the organisation (Maguire, 1999). This rapid dissemination of information could result in changes in strategy or decisions based on incomplete reporting (Davis, 2003a). More specifically, reports could be disseminated which contain information which is inaccurate or lacks contextualisation (Gill, 2006). This risk could otherwise be mitigated by providing intelligence that collates and contextualises reporting (McDowell, 2009).

The ACC disseminates '*operational intelligence*' products to law enforcement and regulatory agencies at state, territory and commonwealth levels (ACC, 2011b). In a numerical sense these operational intelligence reports make up the bulk of the intelligence products produced and externally disseminated by the ACC (ACC, 2011a). The ACC's corporate documents and intelligence doctrine present conflicting definitions of operational intelligence reports (see also all ACC sample documents). ACC corporate documentation argues that operational intelligence is a product of analysis that relates to investigative operations (ACC, 2011). The ACC's intelligence doctrine offers a conflicting definition of operational intelligence as a product that contains assessments that are focused one to two years in advance. ACC intelligence doctrine also argues that operational intelligence reporting contains intelligence-related reporting above case level (ACC, 2011a).

The production of substantial quantities of operational reporting by the ACC has two possible implications for the ACC's conception of strategic intelligence. One perspective is that the ACC is achieving a synergy between operational and strategic intelligence reporting (see Kahn, 2009). This position argues that the ACC is trying to make a clearer cascading link between operational and strategic reporting on behalf of its clients (Rogers, 2009). The second perspective is that the ACC is replicating the work of other jurisdictions in areas other than strategic intelligence in an effort to identify criminal convergences (Ratcliffe, 2009a).

On 13 July 2010 the then Australian Minister for Home Affairs and Justice, Brendan O'Conner, and the Attorney-General, Robert McClelland, officially opened the National Criminal Intelligence Fusion Centre in the ACC's Canberra Office (ACC, 2011e). Fusion relates to the '*fusing*' or collation of all criminal intelligence to develop a singular national criminal intelligence picture (ACC, 2011e; and Walsh, 2010). The approach is underpinned by a range of assumptions, the most significant of which is the argument that the criminal intelligence picture can be developed more accurately from the collation and fusion of as much information as possible (AGD, 2010, 2010a and 2010b; and Monahan and Palmer, 2009). The ACC's self-generated strategic priority for their fusion capability is increasing the data holdings, as opposed to data quality and relevance (ACC, 2011e; and Monahan and Palmer, 2009).

One of the aims of the ACC fusion strategy is the delivery of a '*real-time picture of threat being posed to Australia by organised crime*' (ACC, 2011e). This strategy is underpinned by a theoretical assumption that such a picture will be the result of the rapid collation of all data holdings. Both Fingar (2011) and Quarmby (2009) argue that strategic intelligence is much more than the collation of data. In developing the fusion capability the ACC has not considered the value of intelligence analysts intuitively estimating futures (Quarmby, 2009; and Kahn, 2009). The fusion capability has been established on a dated law enforcement assumption that reactive policing remains the prevailing approach to law enforcement (Monahan and Palmer, 2009; and Schneider and Hurst, 2008).

Mitchell argues against law enforcement's preoccupation with fusion capability in the post-9/11 security environment (2007). His argument is that fusion strategies are a structural and organisational response to the assumption that existing law enforcement communities are unable to work together (Mitchell, 2007). The ACC's approach to fusion is predicated on an assumption that the organisational structure and system will be able to overcome cultural barriers to cooperation.

The theoretical model for establishing fusion capability appears to have been based on a limited understanding of the differences between *'intelligence'*, *'crime analysis'* and *'information'* (ACC, 2011e and Mitchell, 2007). This has become particularly evident in later stages of the fusion project where the production of real-time intelligence is an aim (ACC, 2011e). Although intelligence definitions are yet to be universally accepted, what has been accepted is that it is more than information, or information that has undergone limited analysis (Hulnick, 2002; and Davis 2009). This would indicate that the very aim of fusion capability to achieve real-time strategic intelligence is conflicting in nature (Fingar, 2011).

The argument for the placement of what appears to be an operational- and tactical-focused fusion centre within a strategic intelligence organisation appears to be predicated on a thirst for greater quantities of raw information (Monahan and Palmer, 2009; Fingar, 2012; and Schneider and Hurst, 2008). The ACC fusion capability aims to contribute to the reduction of the OC threat to Australia by:

- *'Providing a national monitoring capability on the highest risk serious and organised crime targets';*
- *'Increasing the ability of law enforcement to identify previously unknown targets';* and
- *'Increasing understanding of the nexus between serious criminal activity and other national security threats.'* (ACC, 2011e)

A review of the fusion capability results to date, along with its aims, indicates that the fusion process is tactically-focused. In its first year of operation '*Fusion*' produced 974 tactical intelligence reports (ACC, 2011e). A large percentage of these reports involved the identification of threats as a result of proactive data mining projects. This illustrates the tactical and operational focus of fusion.

The tactical nature of this capability is further illustrated by its production of some 2300 actionable leads and 53 new targets in 2010 (ACC, 2011e). The identification of new targets is not without merit; however, as already highlighted, contemporary law enforcement is faced with insufficient resources to respond to existing levels of reported crime (AFP, 2010). As such the problem faced is neither insufficient data nor targets (Quarmby, 2009 and Respondents 4,8, and 15). The real issue for law enforcement is strategic selection of appropriate targets that represent good return on law enforcement investment and tangible impacts on the criminal environment (Monahan and Palmer, 2009; and Schneider and Hurst, 2008).

5.9 Observations

This research highlights the ACC's unique conception of strategic TOC activity in law enforcement. The ACC has taken a much more limited view of the scope of strategic intelligence than that of SOCA and CISC. SOCA and CISC have sought to widen the focus and purpose of strategic intelligence by looking beyond the limits of analysing criminal information alone (CISC, 2010; and SOCA, 2010). In stark comparison, the ACC intelligence practice limits strategic intelligence, in purpose and practice, to crime analysis and, ultimately, the identification of criminal targets. Furthermore, the ACC strategic intelligence model limits strategic intelligence outputs to the production of long-form encyclopaedic intelligence products, using crime analysis methods as opposed to intelligence processes. At the same time, the aim of these '*strategic intelligence products*' has been limited to providing context to strategic decision-makers (ACC, 2011; and Rogers, 2009).

Analysis of ACC documentation quickly reveals that tactical and operational activities can, and do, have a strategic impact (see also all ACC sample documents). From a planning and strategy perspective this seems hardly surprising as it is tactical and operational activity that implements strategy (Schneider and Hurst, 2008). This conception of strategic intelligence challenges the traditional strategic, operational and tactical organisational definitions of intelligence products (Sheptycki, 2007; and Lowenthal, 2012). It would seem hardly surprising then that a junior member of a law enforcement agency can be operating on a strategically important case that requires strategic as well as operational and tactical intelligence support (Schneider and Hurst, 2008).

Whilst limiting the scope of strategic intelligence the ACC has sought to increase the linkage between strategic and operational intelligence (see also all ACC sample documents). This has been achieved through the introduction of NCIPs and the national criminal target lists (Rogers, 2009). This approach to strategic intelligence is focused on trying to improve the direct relevance of ACC's strategic intelligence to its operationally-focused clients (ACC, 2011a). The ACC has chosen to interpret its role of unifying the fight against OC as a task related to developing a synergy in targeting activities.

The problems faced by the ACC in achieving both a targeting synergy and a holistic understanding of OC are complicated by its conflicting conceptualisations of OC. The reliability and validity of the ACC is strategic intelligence products are challenged by an unclear jurisdictional focus (see also Schneider and Hurst, 2008). The ACC conceptualises the strategic intelligence picture to be an aggregation of state and territory pictures. In doing so it is likely that the ACC's conceptualisation of TOC is obfuscated by a micro-focused approach (Williams and Godson, 2002).

In trying to conceptualise TOC the ACC has focused on threat, risk and harm. Whilst the approaches of CISC and SOCA are dominated by one specific conceptualisation the ACC has chosen to consider all three approaches. In adopting this mixed methodology approach the depth of ACC product coverage is drastically reduced. If the aim of strategic intelligence is to reduce the uncertainty associated with policy and strategy setting the ACC conceptualisation may actually add further confusion (Fingar, 2011). The production of extensive, long-form, encyclopaedic intelligence reports is unlikely to reduce any uncertainty (Quarmby, 2009). This is not to say that these products are not helpful, but that the jurisdictional perspective of the reports is not clear; nor is their reliability or validity given the continuous changes in conceptualisation.

Analysis of ACC intelligence definitions continues to reinforce previously identified propositions relating to strategic intelligence. In particular, the ACC case study supports:

- the exclusion of covert and clandestine operations from any law enforcement intelligence definition (Sheptycki, 2009);
- CISC and SOCA assumptions that law enforcement intelligence need not be classified (Treverton, 2002); and
- the assumption that law enforcement intelligence is not defined by the source of the raw data, as is often the case in intelligence studies (Kahn, 2009).

Analysis of the ACC, its intelligence model and products reveals a number of contradictions. These contradictions start at the theoretical level and see many of the underlying assumptions that inform ACC intelligence practice conflict with each other. These conflicts can be linked with a number of causal factors. But, as argued by Sparrow (1991 and 2008), they are primarily associated with law enforcement's propensity to take innovative solutions and apply them to situations and contexts to which they are unsuited. This is generally the result of a poor understanding of the assumptions and theories that have underpinned the original application of an innovative strategy, which rarely results in optimum results. What can be proposed from this is that any strategic intelligence model or definition should be developed within the context of its application.

5.10 Conclusion

This chapter has presented a case study of the ACC's application of strategic intelligence targeting TOC. Through an explorative methodology the case study analysed the ACC's strategic intelligence theories and doctrine. Throughout this chapter existing theories relating to intelligence processes, police management and KM were used to inform the exploration of the ACC's application of strategic intelligence.

Chapter Five has revealed what strategic intelligence in the ACC does and what value it creates for its clients. There are significant differences between the ACC's strategic intelligence model and that of CISC and SOCA. There are also substantial differences in each agency's strategies for the integration of strategic criminal intelligence with strategy and policy development cycles. This chapter has explored some of the complex and diverse variables involved in the production of strategic intelligence in the ACC. The chapter has also identified that the ACC, CISC and SOCA share a number of organisational, cultural, methodological and theoretical factors that inhibit the effectiveness of strategic intelligence.

Strategic intelligence within the ACC has been established to inform strategy and policy development within law enforcement and government. In practice a significant percentage of the ACC's intelligence products are focused on supporting operational law enforcement activities. More specifically the ACC remains focused on targeting activities.

This chapter has also identified a number of possible issues with regards to separating crime analysis from criminal intelligence. A significant portion of the ACC's strategic intelligence reporting regime could be described as national crime analysis. This case study has also indicated that Ratcliffe's 3-I Model does not appear to adequately reflect the complexity of strategic intelligence targeting TOC in high-policing (Ratcliffe, 2008; pp. 109-112 and 2009; pp. 8-10).

Chapter Five has laid the foundations for the in-depth case study of the AFP contained within Chapters Six and Seven. As well as providing an additional case study for comparison, this chapter has provided a means to understand the role of the AFP within the Australian national law enforcement work space. Chapters Six and Seven explore the AFP's application of strategic intelligence against TOC in further detail. In particular Chapter Six explores the AFP operating context by analysing both their operations and intelligence activities.

Chapter 6
Introduction to the Australian Federal Police

6.1 Introduction

Chapter Six commences the case study of the Australian Federal Police (AFP) through an analysis of its operating context, with a particular focus on transnational organised crime (TOC). Chapter Four's case studies of the Criminal Intelligence Service Canada (CISC) and the United Kingdom's (UK's) Serious and Organised Crime Agency (SOCA) provided this study with an international context for exploring the application of strategic intelligence in law enforcement. Chapter Five's case study of the Australian Crime Commission's (ACC) application of strategic intelligence used Chapter Four's international case studies as a foundation to explore the Australian national jurisdiction's strategic intelligence methodologies and models. The detailed case study of the AFP in Chapters Six and Seven builds upon the ACC case study by completing the analysis of the Australian national jurisdiction's strategic intelligence methodologies and models.

Chapter Six provides a detailed analysis of the AFP and its operating context through an exploration of the data that was collected during the research process. This is achieved through explorative analysis. This analytical process utilises the multiple lenses of the AFP's corporate documents, organisational doctrine and intelligence reports, supplemented at times with data from interviews. The research presented in this chapter is derived from the multi-stage qualitative analysis of AFP corporate documents and reports using content and discourse analysis techniques. The chapter presents both macro and micro perspectives of the AFP's corporate documents, intelligence doctrine and reports. This analysis reveals the operating context and challenges that strategic intelligence faces within the AFP.

This chapter's structure reflects the specific elements and themes that will serve as parameters for the development of a conceptual framework for strategic TOC intelligence in law enforcement. At times the results of the discussion and analysis of these criteria are used, where necessary, to generate propositions regarding strategic intelligence concepts. Chapter Eight will use these propositions to develop a conceptual framework for strategic TOC intelligence in law enforcement.

6.2 Operating Context

Since the establishment of the Commonwealth Police Force in 1917 national policing in Australia has experienced substantial role and organisational change (Wardlaw and Boughton, 2006). Two years after its establishment the Commonwealth Police Force was abolished and its role—'*protecting Commonwealth interests and preventing insurrections*'—was absorbed by the newly formed Commonwealth Investigations Branch (CIB) within the Attorney General's Department (AGD) (Byrnes, 2007). Then in 1946 the CIB was replaced by the Commonwealth Investigation Service (CIS). In 1960 CIS merged with the Peace Office Guard to form a new organisation named the Commonwealth Police Force (ANAO, 2010). In 1978 the Commonwealth Police Force was the primary Australian federal police agency (ANAO, 2010).

The organisational roles of Australia's federal policing agencies remained fairly consistent during the period 1917 until 1978 (Byrnes, 2007). From 1917 until 1978 all of the primary federal policing agencies were concerned with protective and national security (ANAO, 2010). From 1978 the focus began to transition towards supporting the various states and territories with crime control (Wardlaw and Boughton, 2006).

At 12:40am on 13 February 1978 an explosive device detonated outside of the Sydney Hilton Hotel. The explosion killed three and injured a further 11 people (Mark, 1978). At the time the Hilton hotel was the site of the Commonwealth Heads of Government Regional Meeting (CHOGRM), a regional offshoot of the Commonwealth Heads of Government Meeting (CHOGM) (Mark, 1978). The event served as a major catalyst for change in the structure and organisation of both national security and law enforcement in Australia (Byrnes, 2007; and Keelty, 2006).

Following the Hilton Bombing a number of inquests, inquiries, commissions and reviews of the incident were undertaken (ANAO, 2010). At the time, Sir Robert Mark was engaged by the Australian Federal Government to investigate and advise on the '*organisation of Federal police resources, and measures for protective security and counter terrorism on a nation-wide basis*' (ANAO, 2010). In April 1978 Sir Robert's report (the Mark Report) argued for the creation of *'a police system for the whole of Australia, comprising operationally autonomous police forces and a national investigative agency controlled in equal partnership, by central and State governments'* (Mark, 1978: p.12). The Mark Report (1978) found that the existing federal arrangements were '*lacking in important factors essential for effectiveness and public confidence*'. The report subsequently recommended the combining of the Commonwealth Police and the Australian Capital Territory (ACT) Police forces to create the AFP.

On 19 October 1979 the AFP was created by the proclamation of the *Australian Federal Police Act 1979* (ANAO, 2010; and *AFP Act 1979*). The AFP adopted six ongoing roles from Sir Robert's review:

- '*policing of the ACT*';
- '*investigating infringement of Commonwealth laws*';
- '*coordination of training and support for counter-terrorist activities*';
- '*Special Branch duties within Commonwealth territory*';
- '*escort of VIPs and coordination of protection by State governments and police*'; and
- '*provision of federal officers to other Commonwealth investigative agencies (such as the Narcotics Bureau)*' (*AFP Act 1979*).

Sir Robert conceptualised the problems faced by law enforcement at the national level to be aggregated constructs of the problems faced by the state and territory members of the Australian Federation (Mark, 1978). In this conceptual construct, terrorism and crime were viewed as a problem for the states and territories as a collective (Byrnes, 2007). This is not surprising as in 1978 crime was not regarded as a national security issue; this would not occur until after the 1995 United States (US) Presidential speech to the United Nations by Bill Clinton denouncing TOC as a national security threat. Regardless, Sir Robert, and subsequently the AFP, did not recognise that the crime threat at the national level may be different in nature to the aggregated threat to each state and territory (Hill, 2005). Sir Robert, in conceptualising the crime threat, chose to identify problems in a jurisdictional model that saw the enforcement of Commonwealth laws as a shared role between the states and territories (Mark, 1978).

The Australian Government's endorsement and proclamation of the *AFP Act 1979* is of little surprise given the prevailing conception of the role of police and the nature of crime at that time. At the time police and criminal justice strategy was primarily focused on the application of criminal law in relation to individual offenders (Loader, 2004). This was also supported by the then popular policing argument that crime could be controlled through physical presence of police and guards (Gimber, 2007). Since its inception in 1979 AFP policing outputs from the national perspective were limited to investigations and guarding in recognition of this crime prevention theory (Byrnes, 2007).

Over the last 30 years the AFP has undergone substantive change in terms of size, organisation and role (ANAO, 2010; and Keelty, 2006). Since 1979 the AFP has doubled in size to almost 7000 members (AFP, 2011). In more recent times the AFP has structured itself functionally around its core roles (AFP, 2011). In adopting this strategy the AFP has acknowledged that its ability to respond to crime has been exceeded by the level of reported crime (AFP, 2008). As a result, it has moved away from reactively responding to all Commonwealth crime, towards an intelligence-led approach that targets specific crime types (Keelty, 2006). The scope of the AFP's role in the prevailing years has grown significantly to include technology-enabled crime, child sex offences, taxation and illicit commodity markets (ANAO, 2010). The AFP has also adopted a model whereby it is a national organisation that combats transnational crime. This model seeks to achieve results through the coordination of multi-jurisdictional and multi-agency responses (AFP, 2011).

6.3 Policing versus Law Enforcement in the AFP

To contextualise a detailed analysis of the AFP's role and structure an exploration of the organisation's model for policing and law enforcement is necessary. Analysis of CISC, SOCA, ACC and AFP corporate documents reveal that the terms '*law enforcement*' and '*policing*', as well as their derivations, are often used interchangeably in a variety of circumstances (CISC, 2007a, 2008, 2008a, and 2009a; SOCA, 2010a, 2010, 2010b and 2010c; ACC, 2009a, 2009, 2009b and 2009c; and AFP 2010, 2010a and 2011). In contrast to these documents, much academic research implies, and often argues for, the existence of a theoretical difference between law enforcement and policing (Ball, 2007). The literature review in Chapter Two revealed that—despite the absence of a universally accepted definition for the terms—there would appear to be a reasonable argument that enforcement involves a primary focus on enforcing law through the arrest of offenders (Carter and Carter, 2009). In comparison the literature review suggested that policing involves a more holistic approach to crime control that utilises a variety of preventative strategies (Cope, 2004).

In academic sources the term '*policing*' tends to be associated with street- or community-level activity as opposed to jurisdictional challenges such as TOC (Dean and Gottschalk, 2007). Organisations such as CISC, SOCA, the ACC and AFP have a tendency to use the term '*law enforcement*' to describe themselves, as well as their activities, within their respective corporate documents (CISC, 2010; SOCA, 2010, ACC, 2009c; and AFP 2010). It would be easy to draw the conclusion that community or sub-national jurisdictions are performing policing activities and that national agencies undertake law enforcement. This is an inaccurate proposition given the wider policy support roles that agencies such as CISC, SOCA, the ACC and the AFP fulfil in their respective countries (CISC, 2010; SOCA, 2010, ACC, 2009c; and AFP 2010).

In the Australian context, defining the term '*enforcement*' is made even more difficult by the number of organisations and agencies which have law enforcement roles (Ransley and Mazerole, 2007; pp. 37-38). Since the late 1990s the Australian Commonwealth Government has divested a range of enforcement and investigative responsibilities throughout an equally diverse range of agencies (Ransley and Mazerole, 2007; pp. 37-38). During this time the private sector's involvement in policing has also increased substantially (Deukmedjian and Lint, 2007).

These structural changes in the AFP's operating environment as well as the changes in how crime is conceptualised have resulted in law enforcement being synonymous with more than the arrest of offenders (Keelty, 2006; and Flood and Gasper, 2009; 61). Ransley and Mazerole (2007; pp. 37-38) argue that law enforcement, especially in the Australian national context, is now comprised of a complex network of activities designed to reduce criminal opportunities and human security risks. In this framework the network of activities is driven by strategic decision-making supported by a range of knowledge, information and intelligence products (Ransley and Mazerole, 2007; pp. 37-38). This is entirely consistent with the AFP enforcement doctrine (see also AFP 2010, 2010a and 2011; Keelty, 2006; and Wardlaw and Boughton, 2006).

The key organisational performance measures for the organisations in each case study relate to the enforcement of law (CISC, 2010; SOCA, 2010, ACC, 2009c; and AFP 2010). It would appear that this presents in each agency's case some internal conflict between holistic strategic law enforcement and the measurements of performance (see also Dean and Gottschalk, 2007). This situation seems surprising given Sir Robert Peel's instructions for the first police force, the Metropolitan Police:

> *It should be understood, at the outset, that the principal object to be obtained is the prevention of crime. To this, great end every effort of the police is to be directed. The security of person and property, the preservation of public tranquillity, and all the other objects of a police establishment, will thus be better affected, than by the detection and punishment of the offender, after he has succeeded in committing the crime. This should constantly be kept in mind by every member of the police force, as the guide for his own conduct.* (Cited in Gilling 1996, p.101)

The AFP's corporate documentation shares a number of themes with Peel's instructions to the Metropolitan Police in 1829 (Ransley and Mazerole, 2007; pp. 37-38). However, Peel's model has since been criticised for being focused on the limited application of prevention to regular patrolling (Gilling, 1996). It could still be argued that policing was originally focused on crime prevention and peace keeping rather than the enforcement of jurisdictional laws (Gilling, 1996). In the years that have followed the focus of police has shifted towards the enforcement of law; in part this would appear due to issues of accountability (Gimber, 2007).

During this research, AFP interview participants (001-041) were often unable to articulate a consistent difference between '*policing*' and '*law enforcement*'. Sixty per cent of interview subjects (n=31) below management level argued that their role was enforcement-focused rather than prevention-orientated. In comparison, management-level respondents (001-005) consistently argued that law enforcement in the AFP context involved more than arrests. Regardless of terminology, what can be said is that the AFP, whether a policing or law enforcement agency, has a wider remit than the investigation and arrest of offenders (see also AFP 2010, 2010a and 2011; Keelty, 2006; and Gimber, 2007). Furthermore, the crime prevention and human security role of the AFP is far more complex than the allocation of patrols or the implementation of '*scarecrow*' type tactics (Harfield, 2008).

Much of the Australian Commonwealth's proactive crime prevention and control capability resides outside of the AFP's direct command (Ransley and Mazerole, 2007; pp. 37-38). Furthermore the enforcement role in the Australian national jurisdiction is split across a variety of organisational, regulatory and legislative lines (ANAO, 2010). Consequently the AFP has had to change its approach to law enforcement by participating in the development of strategic policy at a national level (Keelty, 2006). AFP strategies now make increasing reference to third party and partnership policing in their lexicon (AFP 2010, 2010a and 2011; Keelty, 2006; and Wardlaw and Boughton, 2006). However, beyond a change in language the AFP model for law enforcement is aligned with central policy agencies and the Australian public policy cycle (Keelty, 2006; and Wardlaw and Boughton, 2006).

For strategic intelligence the AFP's expanded model of law enforcement—through third party and partnership policing—has a number of important impacts on the scope of the work undertaken (Keelty, 2006; and Gimber 2007). More specifically the operating space that senior AFP managers can directly influence has dramatically expanded (Howlett, 2009). Subsequently, the scope of AFP managers' strategic intelligence interest (area of strategic interest) has also expanded exponentially (Howlett, 2009).

The preventative focus of the AFP law enforcement model demands the development of a strategic intelligence capability that anticipates opportunities and risks for senior decision-makers (Harfield, 2008; and Edwards and Gill, 2009). The complex nature of the AFP's expanding area of influence demands a strategic intelligence capability that engages with the multifaceted nature of law enforcement challenge. This knowledge will allow, especially in the case of TOC, policy staff and decision-makers to develop strategies and policies from a whole-of-government perspective (Klerks, 2007).

6.4 The Whole-of-Government Focus

The AFP's senior managers frequently highlight the requirement for their organisation to work in a '*whole-of-government*' environment (AFP 2010, 2010a and 2011; and Howlett, 2009). This approach would appear to be consistent with Dupont and Broduer's (2006) conceptual framework for contemporary law enforcement, which argues that it is a networked activity involving a range of stakeholders across the private and public sectors. Ransley and Mazerole's (2007; pp. 37-38) framework supports this position with the argument that it is the networking process and activity that defines contemporary law enforcement. It appears that a networked solution to TOC is challenged by the siloed nature of the Australian national enforcement and regulatory framework (see also Hunt, 2005; and Ransley and Mazerole, 2007). The distributed Australian national enforcement and regulatory framework has much of the proactive crime prevention and control capability residing outside of police and law enforcement agencies (Ransley and Mazerole, 2007; pp. 37-38).

In a general sense whole-of-government policy represents a conceptual framework for the horizontal and vertical integration of policy (Christianson and Laedreid, 2007). The framework was developed as a means of preventing and combating a number of critical problems in policy implementation that had been observed during 20 years of '*New Public Management in Australia*' (Christianson and Laedreid, 2007). More specifically it was established to address the policy issues and challenges that straddle across two or more government departments (Hunt, 2005). The aim of integration is also focused on avoiding situations of competing or contradictory policy implementation. The concept has become synonymous with the creation of synergies that achieve efficient and effective service delivery (Mitchell, 2007; and Hunt, 2005). In Australia, whole-of-government usually relates to cross-departmental and inter-organisational cooperation in the development and implementation of public policy (Hunt, 2005).

Over the last 15 years the concept of whole-of-government has grown in popularity in Australia (Hunt, 2005). But achievement of this level of horizontal and vertical integration of government is difficult at best. Christianson and Laedreid (2007) specifically argue that the aim of eliminating silos may be based on an assumption that they are part of an obsolete way of thinking. They posit, however, that certain silos and specialisation is necessary due to modern organisational needs (Christianson and Laedreid, 2007).

One of the major challenges to the effective implementation of whole-of-government concepts is that the term means different things to different people (Hunt, 2005). Secondly, the scale and scope of whole-of-government policy implementation can be either broadly or specifically applied (Christianson or Laedreid, 2007). Finally, whole-of-government approaches can be either formally or informally applied. These problems are compounded by the uncertainty within the AFP regarding the strategic aim of whole-of-government approaches (see also AFP 2010, 2010a and 2011; Keelty, 2006; Wardlaw and Boughton, 2006; and Respondents 001-005). In the case of TOC there are a number of underlying questions on the intent or purpose of any whole-of-government response (Mitchell, 2007). Within the AFP there is significant internal debate between senior management and staff on whether its contribution to whole-of-government policy should be solely focused on enforcement outcomes. This approach does not seem to be congruent with the prevailing research on counter TOC strategies (see also Ratcliffe, 2008b).

Contemporary law enforcement literature argues that the reduction of TOC impact or harm is reliant on broad, but integrated, multi-faceted public policy (see also Maguire and Tim, 2006; Cockayne and Williams, 2009; Edwards and Gill, 2007; Gill, 2006; Gimber, 2007; Levi and Maguire, 2004; and Harfield, 2008). In this construct the AFP is responsible for providing strategic criminal intelligence for law enforcement decision-makers and public policy staff at the whole-of-government level by virtue of its national enforcement role (Harfield, 2008; and Ratcliffe, 2008). This becomes increasingly problematic when there are differences between strategic intelligence and operational police contributions to public policy (Howlett, 2009).

If the primary aim of the whole-of-government approach is to achieve horizontal integration, then the challenge for strategic intelligence for the AFP (especially with an intelligence led policing (ILP) framework) is to achieve synergy and synchronicity of efforts (see also Harfield, 2008; and Ratcliffe 2008). For the AFP achieving synchronisation and synergy of efforts would be possible with a number of agencies and departments which operate similar strategic intelligence capabilities (Wardlaw and Boughton, 2006). However, this approach is likely to have a number of inherent risks for the AFP, its partners and the Australian Government.

The most significant risk to the success of law enforcement outputs in a whole-of-government construct is the possibility that intelligence support to decision-making will be homogenised with other decision-support mechanisms (Gill, 2006 and 2009; and Davis, 2007). In addition, there is a risk that a policy framework that does not consider the intelligence problem from a variety of perspectives will not have an accurate understanding of the current, emerging and future problems faced by law enforcement and government (Quarmby, 2009). It is also possible that the urge to develop whole-of-government approaches may come at the cost of the necessary specialist skills and organisations (Hunt, 2005). Sparrow's (1991 and 2008) theories on the reduction of harm places a greater

emphasis on the application of surgical measures in areas such as law enforcement and TOC. In this approach the aim is to reduce the harm which will also have a positive impact on the overall good (Sparrow, 2008).

For the AFP, the term whole-of-government is widely utilised but not truly understood. Whole-of-government concepts have been culturally accepted at the national level by most interlocutors as the way in which enforcement activity is inter-departmentally coordinated. But the AFP's approach to cooperation appears to be targeted (see also Wardlaw and Boughton 2006; AFP 2010, 2010a and 2011; and Keelty, 2006). Seventy-five per cent (n=32) of research interview participants indicated that the AFP approach had changed in recent years with a greater willingness on the AFP's behalf to participate in joint operations and task forces to address issues. But it would appear that the AFP implementation is focused on synergising enforcement and security along with a limited number of regulatory activities (AFP 2010, 2010a and 2011). In this construct, synergy and synchronicity are limited in scope to operational demarcation (Respondents 002 and 004).

Although the term whole-of-government is widely utilised by the AFP, and many of the other major TOC-related organisations, true policy and strategy integration is yet to be realised (Rogers, 2009). The AFP's 2009/2010 Annual Report provides the organisation's priorities as defined by the Minister in charge. These priorities include the following which are relevant to TOC:

- *'Preventing, deterring, disrupting and investigating serious and organised criminal activities impacting on the interests of the Australian community';*
- *'Identifying emerging criminal threats to the national interest and advising on appropriate policy approaches, strategies and treatments to counter those threats'; and*
- *'Actively contributing to broader government programs and initiatives requiring the engagement of law enforcement capabilities to aid their successful implementation'.*

The AFP's aim of *'preventing, deterring, disrupting and investigating serious and organised criminal activities'* is somewhat different in nature to the ACC's strategic aims (ACC, 2009a, 2009, 2009b and 2009c; and AFP 2010, 2010a and 2011). The AFP's other priorities place it in direct competition with the ACC (ACC, 2009a, 2009, 2009b and 2009c). It is likely that this similarity in roles and goals creates a tension space between both organisations (see also Deukmedjian and Lint, 2007). The presence of this tension space was universally reinforced across all of the research interviews (Respondents 001-046).

The whole-of-government approach to TOC has some very specific impacts upon strategic intelligence in law enforcement within the AFP. AFP intelligence customers are focused on information and intelligence sharing across a wider scope of subject matter (AFP, 2010, 2010a and 2011). The whole-of-government framework results in intelligence examining a wider number of issues so as to increase the success of the prediction of wildcard events and issues (Quarmby, 2009). In addition, there is also a challenge in relation to working closer with intelligence partners whilst avoiding the possibility of the homogenisation of intelligence (Fingar, 2011). A whole-of-government approach to TOC challenges strategic intelligence to look beyond criminal offences and the criminal environment as advocated within Ratcliffe's 3-I Model (2008a).

6.5 Policy and Strategy in the AFP

Throughout the case study process AFP documents and respondents (001-046) made reference to the importance of policy as a process, a business unit, an AFP output and whole-of-government input. As an AFP business unit, Policy resides within the AFP's Chief of Staff Portfolio (AFP, 2011). Organisationally the AFP's policy capability is responsible for coordinating internal strategy at the executive level and interaction with the external federal policy environment (AFP, 2010a and 2011). The nature of the AFP's policy outputs is the subject of a great deal of confusion amongst respondents (001-046) and conflict in corporate documents (AFP 2010, 2010a and 2011). More specifically the understanding of the nature of policy as an output seems to differ between the AFP's executive, management (Respondents 001-005), policy staff (Respondents 036-041) and general staff (Respondents 006-036).

In Australian public sector organisations policy as a process refers to the process by which the Australian Federal Government translates *'political vision into resourced programmes and actions to deliver desired changes in the community'* (Howlett, 2009; Christensen and Laedreid, 2007; and Hunt, 2005). In this theoretical model the public sector continues to interact with government throughout the policy cycle (Christensen and Laedreid, 2007; and Hunt, 2005). At the theoretical level policy is viewed as being part of the strategy development process in the public sector (Hunt, 2005). More specifically, policy is viewed as the higher-level map of how the organisation achieves its objectives.

In this theoretical framework for strategic policy, vision is created to define the targeted end-state or outcome (Flood and Gasper, 2009; 61). Organisational policy is the conceptual map for the realisation of the end state or outcome (Hunt, 2005). Strategy then serves as the road map and process for the delivery of the policy. This theoretical construct appears to be sound, but in practice does not resemble the AFP policy or strategy process (AFP, 2011 and 2010a; and Gimber, 2007).

The government expects the public sector, including the AFP, to develop policy options for its consideration (ANAO, 2010). It also requires that those policy options be explored between departments and, where possible, agreed upon by the key stakeholders (Christensen and Laedreid, 2007).

An ever increasingly wide array of interest groups from the public, private and community sectors are now participating in the Australian public policy process (Ransley and Mazerole, 2007; pp. 37-38). This broader and more inclusive process for policy development is widely viewed as leading to better outcomes (Christensen and Laedreid, 2007). In a public policy sense the government will determine the strategic policy – its desired long-term outcomes – and outline the key features it would like to see in operational policy (Christensen and Laedreid, 2007). Operational policy within the AFP is medium- to short-term in nature (AFP, 2011 and 2010a; and see also Gimber, 2007). This operational policy is used by business units to describe how tasks are to be undertaken. In stark comparison, strategic policy in the AFP is described as being outwardly focused policy that articulates the organisation's longer-term outcomes (AFP, 2011 and 2010a; and Gimber, 2007).

The AFP develops and implements both strategic and operational policy (AFP, 2011 and 2010a; and Gimber, 2007). Within its policy doctrine the AFP argues that its strategic policy may be focused on government policy or on organisational priorities (AFP, 2011). The AFP's focus on organisational policies is unique within the Australian public service (Christensen and Laedreid, 2007; and ANAO, 2010). The unique ability of the AFP leadership and policy capability to develop its own strategic policy is created by the separation of powers doctrine (Gimber, 2007). This argument for organisational priority setting of strategic policy may at times limit the AFP's capacity to develop integrated whole-of-government TOC policy (Hunt, 2005). Under circumstances where AFP organisational priorities do not support policy agreed upon by other departments—especially those without the freedom of the separation of powers doctrine—problems may arise (Respondents 001 and 005).

Operational policy within the AFP focuses on the '*what*', '*why*' and '*how*' of certain functions and activities (AFP, 2011 and 2010a). To a large extent the AFP's operational policy is located within its Governance Instrument Framework. The AFP's policy development model focuses on supporting the public policy development (AFP, 2011 and 2010a).

Even at the theoretical level the AFP's Policy business unit finds itself with a dual role (Respondents 37-41). On one hand, AFP Policy is interacting at the whole-of-government level within the Commonwealth policy cycle (AFP, 2011 and 2010a); on the other, it is actively involved in the translation of organisational vision and government direction from the public policy process into action (AFP, 2011 and 2010a; and Christensen and Laedreid, 2007). It is also involved in the provision of policy advice for strategy setting.

Under the AFP's governance framework the Senior Leadership Group (SLG) is responsible for the development of strategic policy (AFP, 2011 and 2010a). The day-to-day responsibility for managing this role is delegated to the Policy unit. The Policy unit has a primary role of delivering the AFP's policy engagement across the Australian Government (AFP, 2011 and 2010a). At the operational level the Policy unit remains a key partner for functional areas responsible for managing operational policy issues.

The Policy unit facilitates and advises on:

- the broad policy environment;
- the policy aims of government; and
- the policy process (AFP, 2011 and 2010a and Respondents 037-042).

The Policy unit seeks to maximise AFP input into policy decisions by ensuring the AFP identifies its policy priorities, maintains one agreed position on an issue and engages effectively in the policy development process (AFP, 2010b and Respondents 037-042).

A review of AFP performance measures from corporate reporting fails to provide evidence of the presence of a high level of policy and strategy integration (AFP, 2011). Throughout the research process interview participants (Respondents 001-041) discussed the policy role as being one of coordination, communication and governance. These respondents (001-041) revealed that the integration of organisational and public policy inputs is not being holistically synergised (Hunt, 2005). The flow-on effect of this process is that AFP operational activity is restricted to traditional enforcement, with only limited holistic or integrated innovation linked to strategic or public policy (Gimber, 2007).

The AFP's decentralised operational approach to organisational process and strategy has had some very specific impacts on both its input into, and implementation of, whole-of-government policy (Gimber, 2007). Often these impeding factors (the fiefdom-like nature of law enforcement) are too easily supported by key law enforcement stakeholders, based on arguments about the application of the separation of powers doctrine (Klerks, 2007). Although the separation doctrine plays an important part in ensuring justice for individuals within the various Australian jurisdictions its application does not recognise the rise of strategically managed policing, public sector reform and the importance of efficient and effective measure of public policy (Howlett, 2009).

AFP strategy has a tendency to be independently developed within each functional area at the National Manager (Senior Executive Service Band Two) level (AFP, 2011 and 2010a). The AFP's input on specific elements of crime policy or law enforcement policy is provided from sub-functional levels (Respondents 037-041). As a result, AFP policy input to national whole-of-government policy processes has a strong operational- and tactical-level focus (AFP, 2011 and 2010a). This was illustrated by a number of respondents when discussing the development of Australia's Commonwealth Organised Crime Framework (001-005 and 025-036). A number of senior respondents (001, 003 and 005) argued that the organised crime (OC) framework was far from good policy, and that AFP input into its development was limited to very operational inputs. The respondents (001, 003 and 005) argued that the AFP should be contributing to whole-of-government policy development at an enterprise level. The wider implication is that there is also an expectation from government that the AFP will develop its own TOC strategy to guide its achievement of the whole-of-government strategy and framework (respondents 001, 003 and 005).

The theoretical and practical application of policy development impacts on strategic TOC intelligence within the AFP (Howlett, 2009). The Policy unit undertakes a lengthy and detailed scanning of the operating environment to support decision- and policy-making (AFP, 2010b; and Respondents 037-041). Strategic intelligence provides support to this process with crime analysis and identification of emerging criminal issues (Respondents 008 and 012). Davis (2007) argues that close working relationships between intelligence and policy may result in a homogenisation of the intelligence picture (Davis, 2007). Furthermore, the existing feudal approach to decision-making and policy input may in fact make the strategic intelligence process redundant if its outputs are not distributed across the organisation to form strategic situational awareness (Quarmby, 2009).

The conflicting theoretical space of the separation of powers doctrine and public sector reform has been further complicated by the '*Australian National Security Statement*' (Howlett, 2009; ONA, 2006; and Innes, 2006). Through the inclusion of TOC as a national security threat the government has increasingly sought to adopt a centralised public policy and strategy for TOC (AGD, 2010a and 2010b). The '*Commonwealth Organised Crime Framework*' (AGD, 2010a and 2010b) illustrates the conflict in the form of centralised decision-making on TOC. This provides a challenge for AFP Policy and Strategic Intelligence in how they will support this public policy approach. It also raises conceptual questions as to the actual ability of the AFP to develop an AFP-specific TOC strategy.

Whilst academic research in the field of intelligence studies has systemically and empirically analysed the intelligence policy relationship the same cannot be said for law enforcement (Davis, 2007; and Howlett, 2009). The absence of reference to a policy capability in law enforcement can be traced to a number of causal factors (Walsh, 2011). The recent reforms to law enforcement and the separation of powers have only just moved organisations such as the AFP to a strategic-level management paradigm (Howlett, 2009). In Australia public sector reform and its demands for effective and efficient outcomes has brought the AFP in line with other agencies in a whole-of-government context (AFP, 2011 and 2010a; and Christensen and Laedreid, 2007). Finally, and probably just as importantly, the identification of TOC as a national security issue has meant that the AFP must operate in a high policy environment (Marrin, 2009a).

6.6 The Role of the AFP

Since its formation in 1979 the AFP has rapidly expanded in size, budget, responsibilities and influence (ANAO, 2010). The AFP's role is '*to enforce Commonwealth criminal law and to protect Commonwealth and national interests from crime in Australia and overseas*' (AFP, 2011). Put more simply the AFP has two distinct roles: policing and law enforcement. Much of the tactical work undertaken by the AFP is focused on law enforcement outcomes but is also linked with achieving human security outcomes through policing and enforcement (AFP, 2011 and 2010a).

More recently the AFP has found itself at the centre of government adopting the role of advisor for domestic human security (Keelty, 2006; and AFP, 2008). This advisory role should be of little surprise given that the intent behind the creation of the AFP was to develop an agency to be the chief source of advice on policing issues for government (Mark, 1978). Although the AFP's outcomes and outputs are domestically-focused, often the delivery of these occurs through a globalised or international response (Respondent, 002).

The AFP, as a national law enforcement agency, has its strategic priorities set by the government of the day through Ministerial direction (AFP, 2012). This direction is set through the analysis of a range of policy inputs including the AFP's own policy advice, law enforcement intelligence and national forums such as the Council of Australian Governments (COAG) (AFP, 2011, and 2010a). Analysis of the AFP's key corporate documents reveals that there is no definitive overarching strategy for law enforcement in Australia. This is a paradigm that is slowly changing with the adoption of landmark constructs such as the '*Commonwealth Organised Crime Strategic Framework*' (AGD, 2010a, and 2010b).

A detailed analysis of the AFP's role, responsibilities and priorities uncovers a clear link between human security and policing (AFP, 2011 and 2010a; and Rogers, 2009). Although considerable organisational effort is directed towards law enforcement outcomes the underlying intent of the creation of the AFP and the role of its strategic leadership is to utilise the available resources and influence to ensure the greatest level of security for Australians and Australian interests (AFP, 2011 and 2010a; and Mark, 1978).

In 2010, in response to the Commonwealth Organised Crime Strategic Framework and a change in senior leadership, the AFP organisational structure was reorganised (AFP, 2011). These changes reflected an increased government focus on law enforcement, specifically on TOC and OC. In response to these changes the AFP's Intelligence Portfolio substantially reorientated its work, allocating resources away from strategic intelligence towards target development (Respondents 001, 003 and 004). During the same period, as previously highlighted, the ACC took on increased responsibility for the development of strategic intelligence for serious and organised crime at the Australian national level (ACC, 2011).

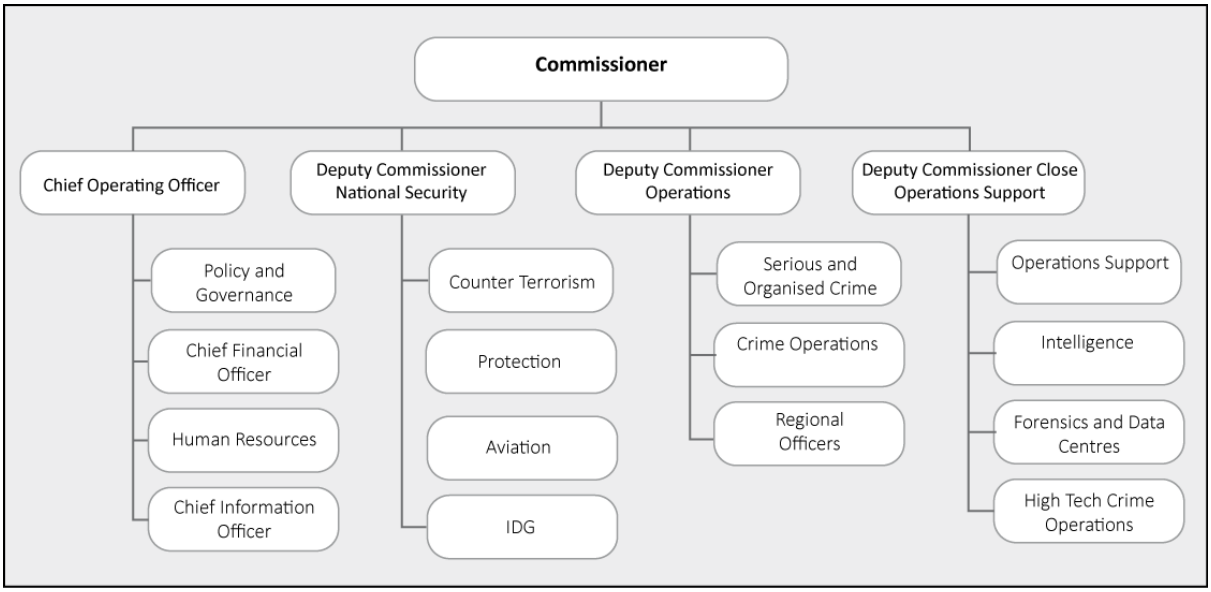
The extent of the AFP's role as policy advisor for policing issues is not defined nor accepted (Schneider and Hurst, 2008; and Sheptycki, 2009). This is evidenced by role conflict between it and the ACC, as well as several other enforcement-related departments including the Australian Customs and Border Protection Service (ACBPS) (Respondents 002, 003, 043, 044 and 045). The UK experience of overlapping tension spaces was significant, especially with over 40 separate police services. In comparison, the Australian federal level is faced with significant overlap but with many less players and the utility of a unifying organisation is not as clear (Schneider and Hurst, 2008; and Sheptycki, 2009).

The AFP's roles as policy advisor for law enforcement, policing and transnational crime remain ill-defined. In exploring these roles the conflicting nature of the AFP's and ACC's theoretical frameworks need to be understood. Organisationally the AFP is focused on human security at the national level (Sheptycki, 2009). The focus is viewed through the multiple lenses of national, international and global enforcement and policing (Respondents 002-004). In comparison, the ACC seeks to act as a coordination point for strategic intelligence and TOC strategy that places priorities on all key players' responsibilities—be they at state or federal level (ACC, 2012).

6.7 The Structure of the AFP

Over the last 20 years the AFP organisational structure has evolved to meet the national law enforcement challenges of the day (ANAO, 2010). The current structure (see Figure 6.1) reflects the AFP's recent refocus on OC and crime operations (AFP, 2011). Whilst the AFP corporate strategy has sought to make an overt refocus on crime operations it has maintained its national security (terrorism and protection) and foreign policy roles (peace and stability operations) (AFP, 2012). This would appear to be a unique alternative trend to the securitisation of high-policing in liberal democracies since 2001 (Sheptycki, 2009).

Figure 6.1 — AFP Organisation Chart
(Source: AFP, 2011, 2011a, 2011b, and 2011c)



The AFP operates domestic offices in each Australian capital, as well as some additional regional centres associated with specific criminal threats (AFP, 2011). In addition the AFP operates some 31 overseas posts and 11 overseas missions (AFP, 2011). Not only does the AFP deal with the complexity of a dynamic criminal operating environment, but also the peculiarities of an organisation with various business lines that are not always complimentary or supportive (Respondents 002, 003, and 005). This is particularly evident in the contracted community police services provided by the AFP to the ACT and the domestic guarding and response services provided at airports and government facilities (AFP, 2011, 2011a, 2011b, and 2011c).

The AFP organisational structure can be categorised into three broad functional groupings: '*operational*', '*close operational support*' and '*support*' business units (AFP, 2010, 2011 and 2012). The '*operational*' functional grouping is comprised of the AFP's direct enforcement capabilities including national security and crime programs, as well as ACT policing (AFP, 2011). The '*close operational support*' function consists of business units responsible for direct support to operational function enforcement activities, such as intelligence (AFP, 2011). Finally, there are the '*support*' functions which are involved in providing strategic services such as policy development and the support functions of human resources (AFP, 2011).

The AFP's organisational structure is indicative of its conception of crime and crime response (Interview Respondent, 005). More specifically the organisational structure reflects a tribal approach to the coordination and conduct of reactive investigative solutions to TOC (Woodiwiss, 2007). Whilst the separation of powers doctrine necessitates the independence of police operations it does not negate the need for an integrated national TOC policy and strategy (Howlett, 2009; and Verfaillie and Beken, 2008). The AFP structure does not, in form or detail, articulate the linkage of '*high-policing*' to national policy (Howlett, 2009). The structure chooses instead to reiterate enforcement activity as the means and the end.

Since 2008 the Australian Government's national security policy has described TOC as a national security issue (AGD, 2011). In practice this linkage has resulted in the negotiation of a series of memorandum of understandings and a bridging of the security law enforcement chasm (AFP, 2012; and Respondents 001-005). At the same time the AFP organisational structure separates national security activities from crime operations, although both are operational activities (AFP, 2012, and 2011). This reflects a belief within the AFP that crime operations are not related to national security (Respondents 026, 029, 030, and 035). This approach to defining TOC and national security runs contrary to contemporary theories and policy on both (Verfaillie and Beken, 2008).

The Intelligence Portfolio's placement in the close operational support functional grouping has formal and informal cultural implications for its relationship with clients (Respondents 006, 012, 018, 019, 020, and 025). Within the AFP's organisational structure the intelligence capability is physically and doctrinally separated from both policy and operational clients (AFP, 2012). In this structure intelligence is identified as a support function for operations as opposed to a strategy development tool within the executive (Ratcliffe, 2008a).

The AFP's organisational structure also separates intelligence and policy with organisational distance which is further aggravated by cultural distance (Davis, 2007). Whilst strategic policy is aligned away from operations, intelligence sits within a middle ground (AFP, 2010b and 2010a). In this middle ground context the Intelligence Portfolio is primarily focused on operational support. The concept of intelligence as an operational support capability does little to confirm the AFP as an ILP organisation as described by Ratcliffe (2008a).

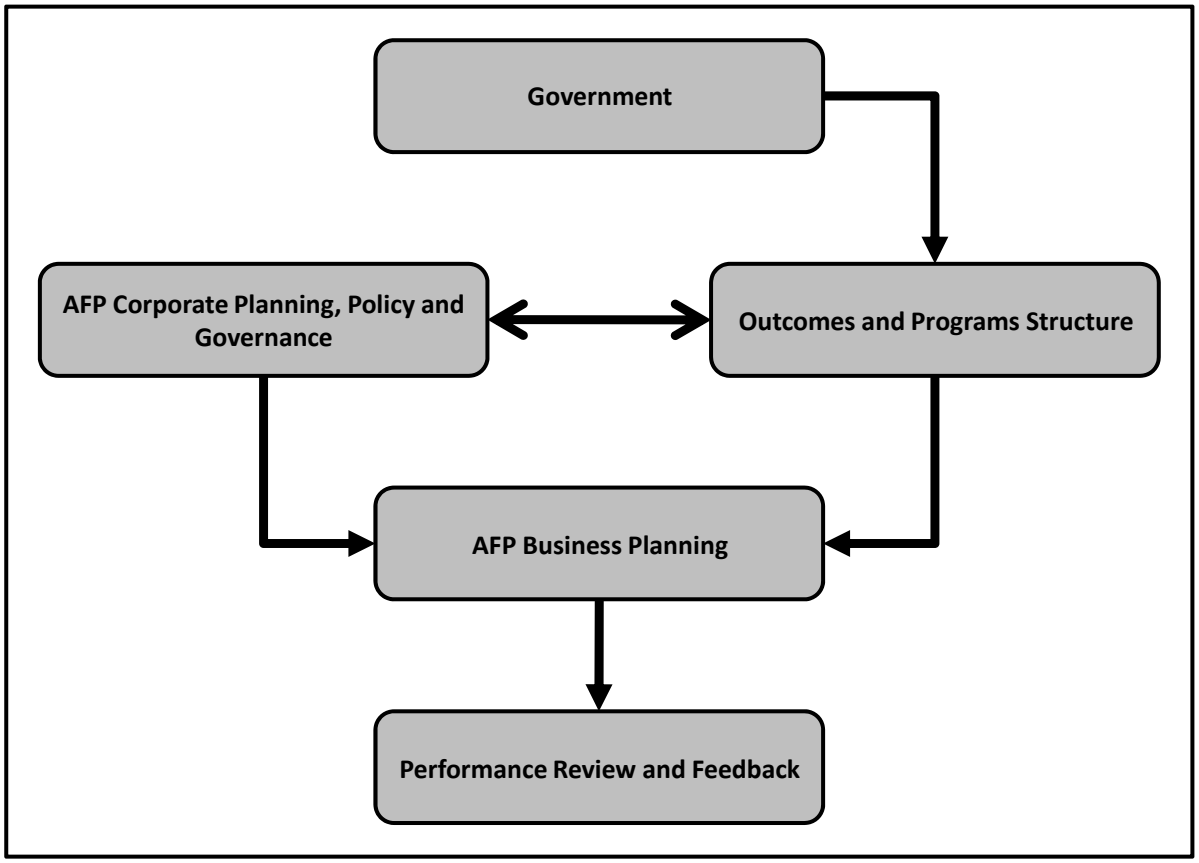
The AFP organisational structure presents intelligence with the challenge of supporting policing fiefdoms (Respondents 037, 038, 041 and 042). Rather than being focused on delivering integrated agency activities the AFP structure promotes crime type responses through its functional model (Respondents 037 and 040). The application of the functional structural model creates organisational impediments for the translation of policy from Commissioner to team member (Respondents 037, 038, 041 and 042). These circumstances present additional challenges for strategic intelligence by pushing it into a target-centric approach focused on supporting functional strategies (Maguire, 1999).

6.8 The AFP Internal Planning Framework

Analysis of AFP corporate documents produced between 2008 and 2012 illustrates that it has been subject to a consistent level of change to its organisational structure (see also AFP sample documents). This pattern of change appears to be replicated in each of the case study sites. Furthermore, the magnitude and pace of the change in law enforcement structure has been noted in a number of previous studies (Dean and Gottschalk, 2007). The changes to the AFP's structure have been in part due to corporate efforts to align the activities of the organisation from the strategic to tactical or individual level (AFP, 2011). Figure 6.2 provides a graphical representation of the AFP's business planning context.

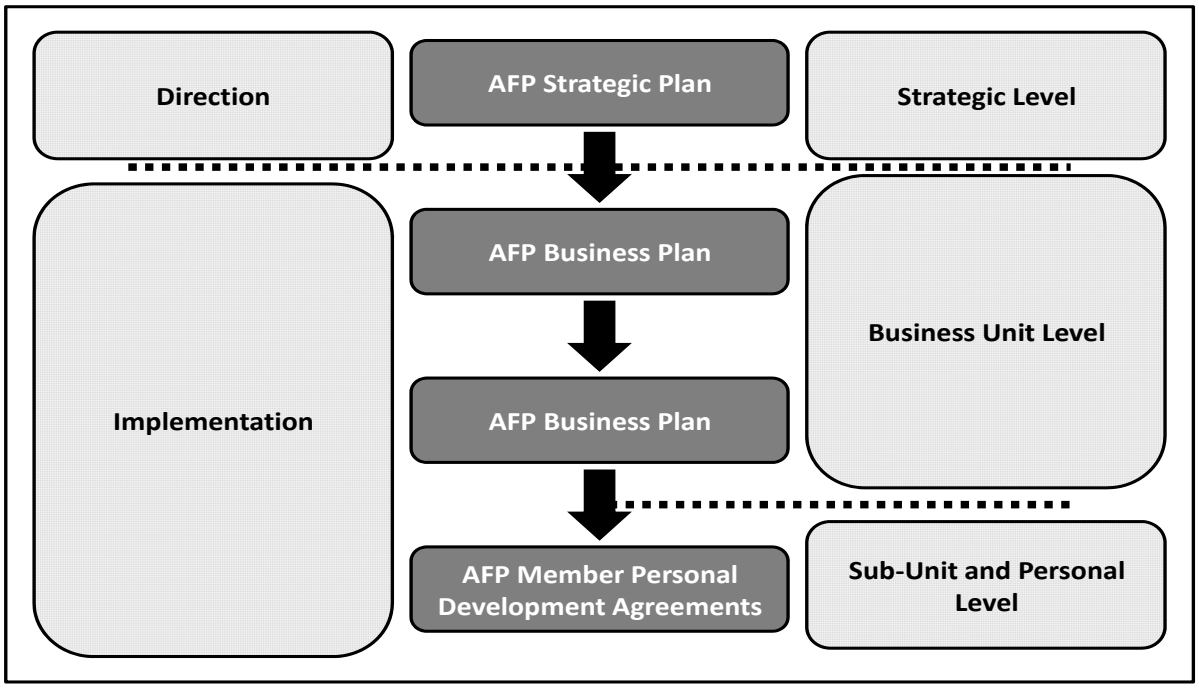
Analysis of AFP's business planning context model (see Figure 6.2) illustrates that direction flows down through the organisation (AFP, 2011, 2011a, 2011b, and 2011c). Furthermore this formal system does not reflect the influence that the AFP and its policy areas have on government direction, nor the interplay this and performance reviews should take (AFP, 2010b; and Respondents 001, 003, 036, 038, 041). Figure 6.3 provides a more detailed, graphical representation of the AFP's business planning framework.

Figure 6.2 — AFP Business Planning Context
(Source: AFP, 2011, 2011a, 2011b, and 2011c)



The AFP's business planning framework provides the theoretical foundations for both organisational structure and corporate planning processes (see Figure 6.3). The business planning framework is structured for a top-down hierarchical organisation (Gimber, 2007). The AFP framework appears to promote a planning process that is conducted with strategic guidance but without the necessary tactical feeds (Howlett, 2009). Such tactical feeds ensure that organisational plans are grounded in the reality of the situation at the service delivery level (Hunt, 2005).

Figure 6.3 — AFP Business Planning Framework
(Source: AFP, 2011, 2011a, 2011b, and 2011c)

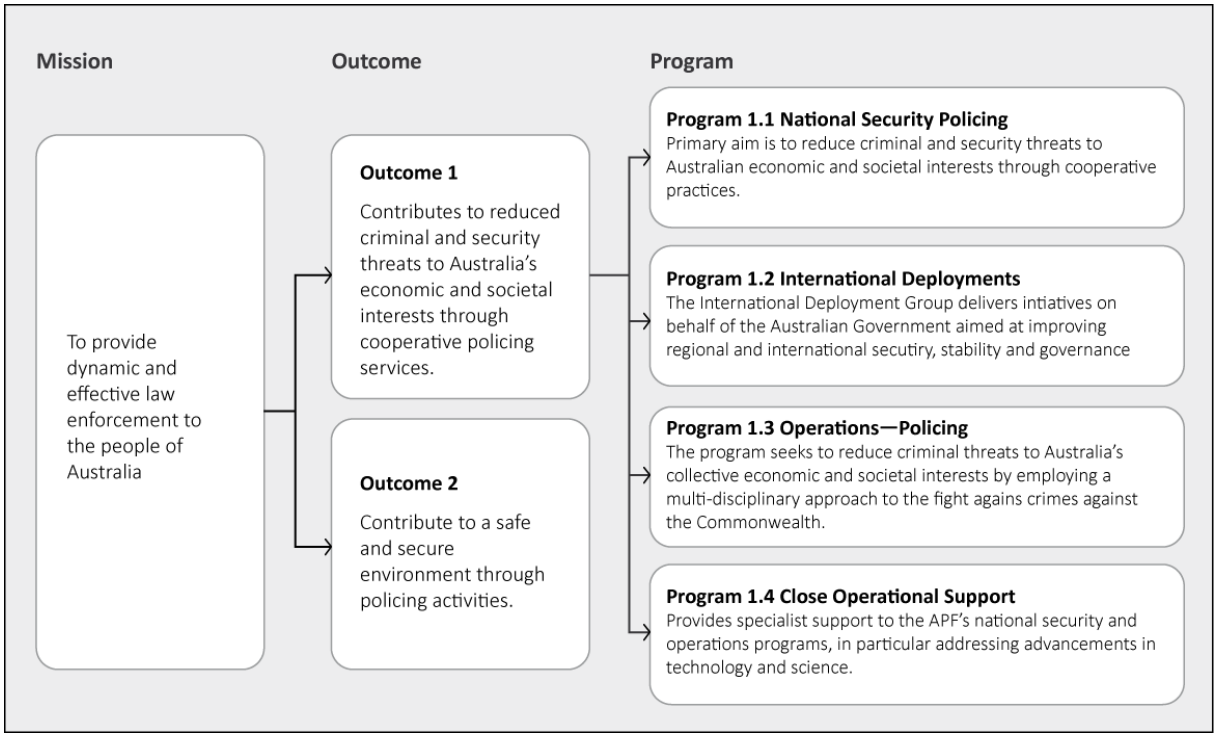


Analysis of the AFP's strategic planning process reveals that the organisation's strategic plans have a four-year life cycle (AFP, 2007, 2010b and 2011c). Whilst the four-year planning cycle provides stability, it raises issues as to whether the AFP is capable of rapidly responding to changes in the criminal environment (Hill, 2005). The AFP planning and organisational structure changes implemented in July 2010 have seen the development of clearer lines of responsibility and greater linkages between planning and implementation (AFP, 2011).

Figure 6.4 provides a graphical representation of the AFP's mission, outputs and program framework. Analysis of the AFP mission statement identified questions about its organisational suitability. These questions are based on comparative analysis between the mission and the scope of the AFP's roles and responsibilities (AFP, 2011, 2011a, 2011b, and 2011c). There can be little doubt that a substantial amount of the AFP's organisational focus is on the conduct of law enforcement activities (AFP, 2011). Rather than being its primary purpose, it could be argued that '*enforcement activity*' is a deliverable; it is how the AFP achieves its mission (Howlett, 2009; and Hunt, 2005). The mission should then be focused on achieving outcomes based on the intent of government and ministerial direction (Hunt, 2005). The mission does not account for what the AFP seeks to achieve, nor how this is to be achieved through enforcement and problem solving activities (Christensen and Laedreid, 2007).

Figure 6.4 — AFP Outcomes Framework

(Source: AFP, 2011, 2011a, 2011b, and 2011c)



For the purposes of this analysis Outcome 2 will not be considered as it deals with the provision of contracted community policing services to the ACT which has only limited coverage of TOC issues.

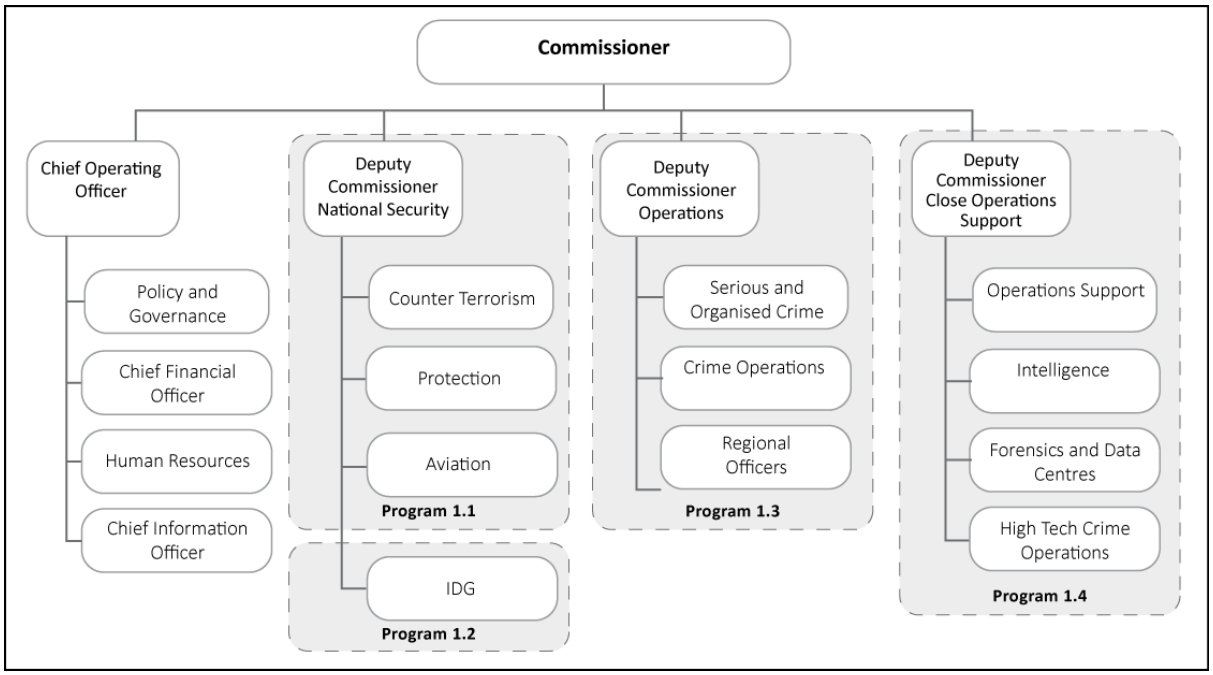
Analysis of the flow of the framework from the mission to outcomes and programs cannot clearly identify any substantive connectivity between each level (AFP, 2011, 2011a, 2011b, and 2011c). International deployments and operational policing programs have some shared responsibilities for TOC. What remains unclear from the framework is to what extent Program 1.2 is:

- part of the Australian Foreign Policy framework; and/or
- directed towards disruption, detection, prevention and investigation of TOC.

Outcome 1 deals with addressing criminal threats rather than the provision of law enforcement (AFP, 2010 and 2011). By focusing on threat reduction Outcome 1 appears to interpret the provision of enforcement as a directed activity or strategy rather than an outcome in its own right, which appears to be counter to the mission (AFP, 2011). Outcome 1 could be interpreted to imply that the AFP should play a law enforcement problem solving role at the national level (Respondents 002, 003 and 005).

The development of a conclusive hypothesis from analysing the AFP's outcome program framework is further complicated by the inconsistent application of terminology in corporate documents (AFP, 2011, 2011a, 2011b, and 2011c). The AFP's business framework seeks to achieve a high degree of top-to-bottom organisational integration of strategic planning (AFP, 2012). The impact of the application of inconsistent terminology and language on integration becomes evident when this framework, the strategic framework and the organisational structure are compared (see Figure 6.5).

Figure 6.5 — AFP Organisation Chart with Program Map
(Source: AFP, 2011, 2011a, 2011b, 2011c, and 2011d)



For many years the AFP has publicly identified itself as an intelligence-led organisation (AFP, 2011, 2011a, 2011b, and 2011c). In making this claim it is intimated that intelligence plays a fundamental role in decision-making with regards to strategy and the allocation of resources (Ratcliffe, 2008a). The AFP corporate framework is underpinned by an assumption that intelligence allows for the better allocation of resources to achieve outcomes (AFP, 2012). Intelligence forms a very small part of the AFP organisational structure. Furthermore, it is placed in a support program for the AFP. Although it could be argued that such a position is organisationally sound it places a significant organisational distance between intelligence and its clients (Programs 1.1, 1.2 and 1.3 business units).

6.9 The AFP in the Australian Law Enforcement Community

The AFP's role within Australia's national law enforcement community is formally articulated within current Australian Commonwealth legislation (*AFP Act 1979)*. Before the late 1990s the AFP's activities were primarily concerned with fraud offences against the Commonwealth and the international importation of illicit substances (Keelty, 2006). Although the latter role remains unchanged, the AFP's operational role has dramatically evolved (see also AFP sample documents). The AFP role is now primarily focused on protection and investigation activities. In practice this role frequently places the AFP in direct competition with state and territory jurisdictions—more often than not for key performance indicators of arrests and drug seizures (Respondents 002 and 032).

Like the UK and Canada, the Australian law enforcement community is subject to jurisdictional tribalism and increasing membership in the form of non-police enforcement agencies (Ransley and Mazerole, 2007). In each case there is anecdotal evidence of a variety of tension spaces relating to organisational responsibilities (Dean and Gottschalk, 2007).

Ministerial direction provides the AFP with broad organisational priorities (AFP, 2012). The current Ministerial direction enhances the AFP's central role in national TOC policy and strategy, whilst also placing it in direct competition with the ACC (AFP, 2012). Many Australian Commonwealth organisations have law enforcement responsibilities which are limited in nature by factors such as geography, crime type and jurisdictional focus (Ransley and Mazerole, 2007). Comparatively, the AFP, within the law enforcement community context at least at the corporate philosophical point of view, is concerned with dealing with TOC threats in a holistic manner (Keelty, 2006).

The integrated nature of TOC with localised OC, as described within networked theories of crime, places the AFP in direct competition with state and territory authorities for the all-important crime statistics (Schneider and Hurst, 2008). Throughout the 1990s into the late 2000s the level of competition between the AFP and state and territory authorities—as well as national agencies such as Customs and the ACC—grew substantially (Verfaillie and Beken, 2008). During this period the AFP was faced with increasing investigation referrals regarding OC and TOC. To the outside observer their prioritisation model was a formalised process of '*cherry picking*' investigations with high return on investment with regards to key performance indicators (Respondents, 002, 003 and 026). Throughout this period government, policy, law enforcement and AFP stakeholders made repeated efforts to produce a more productive working model for cooperation at all levels. This supported the often used task force approach to TOC (Gill, 2006).

The task force approach was used throughout the late 1990s and 2000s to solve tension spaces at the intersection of superimposed jurisdictions (Gimber, 2007). Schneider and Hurst (2008) argue that research findings challenge practitioner assumptions regarding the effectiveness of task force responses. With challenges such as the atypical bureaucratic issue of lead agency selection there should be little surprise that this approach has limited effectiveness (Schneider and Hurst, 2008). Task forces have also led to a range of incidents of multiple reporting of TOC statistics, which does little but further mystify the true nature of TOC in Australia (Respondents 002, 003, and 027).

In more recent times the AFP has sought to move away from the task force approach towards a liaison officer strategy—ironically similar in construct to the nodal approach to TOC facilitation (Respondent 002; and Harfield, 2008). In this model the AFP seeks to work with partners in a much more collegiate approach in recognition of their own limited response capacity. Combined with the maturation of liaison and task force relationships this has proven to be a successful strategy, at least from an AFP perspective (AFP, 2011; and Respondents 001-002). However, this approach does not resolve the competition space for reportable crime statistics.

The AFP's model for the selection and prioritisation of investigative action has been intelligence-led for some time (Ratcliffe, 2008a). But the success of this approach has been undermined by a stagnate understanding of both TOC and strategic intelligence by decision-makers (Casey, 2007; and Respondents 003-005). The development of the strategic decision-making process that integrates strategy with operational targeting has undertaken three distinct stages within the AFP (AFP, 2011, 2011a, 2011b, and 2011c). The first stage is akin to the traditional response model for policing (AFP, 2008). This method was in operation within the AFP until the adoption of the AFP's Case Categorisation and Priority Model (CCPM) in the 2000s (AFP, 2010).

The CCPM drove the selection of targets through the application of a multi-factored analysis of incoming cases (Respondents 026-030). The process was informed by a strategic picture, in as far as it was focused towards identifying and prioritising cases based on priority, impact, impact to client, value to AFP and resources (AFP, 2009). The process was predicated on the strategic picture of TOC being consistent (Casey, 2007).

More recently the AFP has adopted a target-based model: Target Evaluation and Priority Index (TEPI). Although the exact nature of the variables for this model cannot be provided for operational security reasons the model is target-centric. It is again based on a static assessment of the organisational strategic situation and crime environment (Respondents 007, 009, and 015). In this model priority is given to targets that will provide organisational performance reporting benefits. Both CCPM and TEPI are models driven by intelligence (AFP, 2009; and Respondents 007, 009, and 015), but they are not integrated operational threat-based models that link with strategic intelligence (Casey, 2007).

6.10 The AFP in the International Law Enforcement Community

Active, ongoing and consistent formal and informal engagement in the international law enforcement community has been the hallmark of the AFP's TOC enforcement strategy for many years (see also AFP sample documents and Keelty, 2006). With 72 staff in 29 countries the AFP has a substantial international presence and global reach for a national agency (AFP, 2012). This presence is further enhanced and enriched through participation in regional organisations such Europol and Interpol. In addition the AFP participates in and contributes to a range of international committees and groups (Respondent 003).

The AFP's international commitments fall into four basic categories: capability development, police-to-police cooperation, formal mutual assistance cooperation and intelligence exchange. The majority of the AFP's international TOC efforts transition between two or more of these categories. Capability development activities are conducted by the AFP throughout the Pacific and Asia. These activities include the provision of training and mentoring, as well as case-specific, police-to-police cooperation involving the exchange of intelligence (AFP, 2011). These relationships are almost always transactional in nature and have a tactical focus (Respondents 002 and 003). In comparison, police-to-police cooperation between the AFP and New Zealand (NZ), UK, Canada and US interlocutors has a tendency to be much more strategically focused (Respondents 002 and 003). Increasingly this engagement has been undertaken at the committee level, through formal strategic intelligence exchange activities and with the exchange of tactical intelligence (Respondents 002-005). At the tactical and operational level information is exchanged formally and informally (Respondents 026 and 028).

The tribalism that is often described at the national level appears to be far less of an issue at the international level (Harfield, 2008; and Respondents 026 and 028). In part this is because of the separation of national security and policing roles that occurs within the Australian national security framework (Respondents 026 and 028). For example, whilst the US's Drug Enforcement Agency (DEA) and Federal Bureau of Investigation (FBI) have national security connections and roles the AFP remains focused on law enforcement and TOC (see also Harfield, 2008). As described by Keelty (2006) the AFP remains engaged within the international law enforcement community from a unique law enforcement perspective. Strategic intelligence sharing and engagement is underpinned by an assumption that TOC is a more complex construct than the national security perspective of it as a transnational actor. Through this alternative conceptualisation of TOC information sharing moves beyond the traditional isolationist perspective experienced in the national security environment (Sheptycki, 2009).

6.11 Conceptualisation of TOC

AFP doctrine and corporate documentation present an adversarial conception of the Australian national TOC threat (AFP, 2011, 2011a, 2011b, and 2011c). In part the AFP has evolved from a traditional hierarchical conception of TOC to a networked paradigm (Klerk, 2007). TOC is perceived at strategic, operational and tactical levels to be a networked activity, but the nature and understanding of this networked structure differs greatly at various levels of the organisational doctrine, governance and practice (see also AFP sample documents and Respondents 001-036).

The AFP's strategic conception of TOC is dominated by the concept of centralised nodal players who act as linchpins in criminal enterprises, whether one-off, of convenience or ongoing in nature (Respondents 008, 017, 023, 027-036). The criminal networks that combine to make up the market are viewed from an enterprise perspective at each level of the organisation. The nodal structural concept of TOC is used by AFP operational and intelligence business units alike to guide the selection and prioritisation of targets (AFP, 2009, and 2010a).

The AFP's overarching TOC strategy is focused on stopping enterprises, as opposed to reducing risk or harm (AFP, 2011, 2011a, 2011b, and 2011c). As such, intelligence efforts are focused on finding and neutralising key nodal elements. This approach borrows from the military nodal or network warfare concepts (Klerk, 2007). But unlike the military approach the end state of such operations is not as clearly articulated (Turbiville, 2005). Instead, the aim of the conceptualisation is to identify targets, but there is never an end state described (Quarmby, 2009). Put more simply, AFP operations and intelligence analysis aims to understand TOC in order to identify further targets.

The target focus of the AFP appears to be partly formed in recognition of the high replace-ability of actors within the market. The analysis of corporate documents revealed an AFP planning assumption that TOC is inevitable (AFP, 2011, 2011a, 2011b, and 2011c). This assumption results in an organisational focus that utilises a hybrid ILP framework focused on identifying and neutralising key targets within certain markets (Respondents 008, 017, 023, 027-036). Unsurprisingly this assumption and framework does not support wider whole-of-government public policy development (Hunt, 2005).

The AFP conceptualisation of counter OC strategy, which includes TOC, has increasingly focused on money and proceeds of crime as a central idea (AFP, 2011, 2011a, 2011b, and 2011c). Thus the enterprise and motivation are conceived in the one sense: money. Money and its flow are used as a key mechanisms at strategic, operational and tactical levels of AFP operations to understand OC and TOC (AFP, 2010a, 2011 and 2012). '*Nodes*' in this network-centric model of TOC are profit motivated and their ongoing operation is transactional in nature.

The AFP's strategic focus is on individuals or groups join together nodes in the criminal market (AFP, 2011). This construction of strategic ILP appears to be consistent with the 3-I Model (Ratcliffe, 2008a). The focus on the identification of '*Mr Big*' at the tactical level and the subsequent seizure of drugs and proceeds of crime appears to run counter to a strategic focus on harm and risk (Respondents 008, 017, 023, 027-036).

The AFP's strategic conception of TOC is not used at the tactical or target level (Respondents 06-026). This is of little surprise given the overall focus of the AFP's corporate reporting and police culture, which is primarily focused on key performance indicators such as the quantity of drugs seized and proceeds of crime restrained (AFP, 2009, 2010, 2011 and 2012; and Collier, Edwards, and Shaw, 2004). The incongruence of this enforcement approach and conception of TOC is illustrated by national reporting on illicit drug markets (ACC, 2012). The AFP's annual reports claim increasing seizures of drugs and proceeds of crime each year indicate their success in targeting TOC (AFP, 2012). At the same time the ACC's Illicit Drug Report (IDR) for the last two years indicates that drugs remain easy to obtain and prices are stable at historically low levels (ACC, 2011, and 2012). This is indicative of a conception that is tactically-focused but not strategically-orientated. In addition, it would appear that the current conception of TOC does not allow selective targeting in order to achieve strategic outcomes.

At the strategic level the AFP conceptualises TOC primarily from a threat perspective (AFP, 2011, 2011a, 2011b, and 2011c). The AFP intelligence capability has increasingly been reshaped over the last five years to focus on identifying and prioritising targets, and assisting with their intervention (AFP, 2010 and 2011). The reliability of the AFP's theoretical model for understanding TOC is challenged by the nature of contemporary whole-of-government approaches (Christensen and Laedreid, 2007).

The AFP intelligence model focuses on the collation and analysis of known criminal data to prioritise targets as opposed to achieving outcomes (AFP, 2010a). This approach is based on an assumption that a target focus (as an output) will deliver the desired outcome. This model concentrates on the analysis of reported or '*known*' crime (Ratcliffe, 2008a). The accuracy of intelligence products that analyse only reported crime—which represents only a small proportion of total criminal incidents when compared with the unreported component of OC—impacts on the accuracy of the overall picture of criminality (Ratcliffe, 2008a, pp. 42-62).

The AFP's TOC interventions and assessments are developed on a planning model that targets the achievement of enforcement-centric threat mitigation strategies (AFP, 2011a). This approach does not consider the impacts of AFP outcomes on the overall market in its performance measures (Mitchell, 2007; and Casey, 2007). Furthermore, at this level of organisational activity, the AFP is not overtly concerned with targeting efforts towards impacting criminal markets. As a result, the AFP's performance measures are not based on

impacts on criminal markets at the strategic level, but the impacts on threats through tactical enforcement interventions (AFP, 2011, 2011a, 2011b, and 2011c).

The AFP conception of national threats and risks is underpinned by a national philosophy (AFP, 2009, 2010 and 2011). This philosophy has been developed from an underlying theoretical position that the operations and strategies of the AFP should be focused on national threat as defined by the AFP and supported by federal legislation (Respondents 001-005). The AFP argues that the strategic picture of OC is comprised of all of the reported elements of crime analysed in equal measures (AFP, 2011, 2011a, 2011b, and 2011c). In employing this approach the AFP adopts the theoretical position that crime follows historical patterns. This conceptualisation fails to address the reality of 21st century entrepreneurial TOC groups (Gibson, 2009; Vassalo and Case, 1996; Cockayne and William, 2009; and Davis, 2007).

6.12 People and Practice in the AFP

Since its inception intelligence studies has developed its doctrine on the clear delineation of strategic, operational and tactical levels of decision-making (Davis, 2007). Since the end of the Cold War the complexity associated with defining each of these levels has evolved to such an extent that the difference between each category, for clients and practitioners, is no longer well understood (Turbiville, 2004). Even the relatively rigid military environment has now acknowledged the presence of the strategic corporal or tactical strategist within complex and rapidly evolving operating environments (Turbiville, 2004).

Within law enforcement the importance of the individual officer's or constable's discretion has been a constant (Collier, 2006). The origins of this concept are related to the perceived need for law enforcement's independence. Whilst some external commentators have argued that this means that law enforcement must subsequently experience an absence of strategic decision-making there is an alternative (Cope, 2004). Within the AFP the strength of the organisation's people and practices has been each individual's flexibility to identify risks and opportunities, and exploit both (Respondents 001-005).

Analysis of the AFP's strategic planning cycle reveals a governance framework that is focused on three- to four-year time periods (AFP, 2012). Some would argue that the framework represents a rigid organisational approach to the dynamic problem of crime (Davis, 2009). The AFP argues that this planning process and framework engages with the strength of its people and practices (AFP, 2011, 2011a, 2011b, and 2011c; and Respondents 001-005). The framework provides the tactical or operational organisational actors with a means of identifying risks and opportunities for the organisation.

The AFP's staff selection, training and supporting business processes are designed around the independent actor (Respondents 001-005). In this model the achievement of goals is focused around providing the individual with sufficient strategic guidance and freedom to make and implement sound decisions (Keelty, 2006). During a number of interviews with executive-level members of the AFP, the organisation's response to the 2002 Bali Bombings was provided as an example of this strategy at work (Respondents 001-005). Through the individual efforts of staff short-term operational goals were achieved (AFP, 2007, 2008, 2009, 2010, and 2011). Whilst this occurred, staff were able to identify and exploit strategic opportunities to build close and lasting relationships with the Indonesian National Police (Respondent 001-005). Rather than being the result of strategy, these were achieved due to the identification and exploitation of risks and opportunities at the tactical level (Respondents 002 and 004).

The AFP's Executive members further illustrated this important factor through discussions surrounding offshore AFP missions (Respondents 001-005). Commanders are expected to operate with little to no regular command direction from the AFP (Respondents 001-005). Rather, the Commander is firmly focused on their mission. People and practice in both examples become important mechanisms to achieve strategic outcomes (Schneider and Hurst, 2008). However, this also results in further confusion over strategic intent and more importantly widens the number of decision-makers within the AFP responsible for making strategic decisions (Betts, 2009).

6.13 The AFP's Conceptualisation of what is Strategic

The conceptualisation of what is '*strategic*' in nature within the AFP is hotly contested by staff (Respondents 001-041). Discussions with junior and senior AFP staff alike revealed an organisational construction consisting of two levels: strategic and operational. Organisationally the adjective '*operational*' refers to all those activities involving investigations (AFP, 2010a). Within this definition the majority of the AFP's workforce is involved in delivering, or supporting the delivery of, operational outcomes (AFP, 2011). Strategic within the AFP is viewed by respondents as being related to the SLG (Respondents 001-041). Seventy-five per cent (n=31) of AFP respondents were unable to either describe or articulate the link between strategic decision-making and operational activity (Respondents 007-017, 019-022, and 024-041). Eighty per cent (n=28) of non-SLG respondents viewed strategic products and decision-making as being comprised of the overarching documents of the organisation. When asked about how they know what to do, operational staff (n=11) most often described their role using words to the effect of '*locking up crooks*' (Respondents 025-36). When describing the organisation's nature, middle and senior management respondents used words such as '*operational*' to describe the AFP.

Culturally the AFP has adopted an outdated service delivery-focused approach to its support to government and whole-of-government strategies (Respondents 006 and 026). This service delivery approach does not seem to meet the requirements of contemporary whole-of-government policy which is outcomes-focused (see also Collier, 2006). As a result, the AFP culturally focuses on arrests and seizure key performance indicators as opposed to improving human security. This would appear to be in stark contrast to the AFP of four years earlier who, under the leadership of Commissioner Keelty, sought to position itself at the centre of government (AFP, 2008; and Keelty, 2006).

Within this role of being centre of government the AFP played an increasingly important role in central policy development (Respondents 001-005). This role had previously been closely associated with the rise of the national significance of counter terrorism (CT) measures (Rogers, 2009). However, the nexus for the development may have been in the late 1990s within the Project Avian teams (Respondents 006 and 026). Project Avian was the AFP component of the whole-of-government policy response to the Australian heroin epidemic (Respondents 006 and 026). In this approach law enforcement, especially the AFP, played a central role in policy development and delivery by working in a task force framework with a range of stakeholders from within and external to law enforcement (Respondent 026).

The definition of '*strategy*' and '*strategic*' within the AFP is not stable and is subject to change with the organisation's leadership (Respondents 001-046). Although there is instability in definitions and theory the AFP's strategic planning is surprisingly stable (AFP, 2007, and 2011c). The AFP's strategic plans generally have an organisational life of three to four years within its governance framework (AFP, 2007, and 2011c). But strategy and strategic decision-making within the AFP context is much more than the development of a written plan (Respondents 001-005). Furthermore, it is much more dynamic than the application of a road map for success (Respondent 004). Rather, strategy within the AFP context is concerned with flexibility in its day-to-day operational activity. Whilst the AFP's written governance framework (*AFP Act 1979;* see also AFP sample documents) and strategies provide some insight into the organisation it was the interviews with key staff that revealed much more about strategy (Respondents 001-041).

Strategy within the AFP was revealed to be a comprehensive and dynamic informal process that was much more visible at senior levels of management within the organisation (Respondents 001-046; and all AFP references). Whilst junior staff members were expected to implement strategic plans they most often acted as independent actors when doing so (Respondents 001-041); strategy was decentralised in nature which appears almost counter intuitive. In part, the consistent expansion of what the AFP considers core business has substantially contributed to a limited capacity of the AFP to pull together an overarching strategic understanding of the organisation and what it is achieving (Respondents 001-004, 017, 023, and 028).

6.14 Conclusion

Chapter Six has explored the AFP through an analysis of its corporate documents, organisational doctrine and intelligence reports. The chapter provided a detailed description of the AFP, its operating context and an exploration of the data collected during the research process. This analysis reveals the operating context and challenges that strategic TOC intelligence faces within the AFP.

The chapter has highlighted a number of findings that have substantive impacts on the development of a strategic intelligence framework. The overarching finding is that the AFP works within a complex operating environment which experiences a range of inter- and intra-organisational conflict spaces. This complex working environment along with the unique challenges of law enforcement do not support the wholesale adoption of national security or military intelligence frameworks.

Chapters Four, Five and Six have laid the foundations for the in-depth case study of the AFP's application of strategic intelligence presented in the next chapter. In particular, this chapter has presented the initial organisational analysis that will underpin Chapter Seven's case study of the AFP's application of strategic intelligence targeting TOC. This explorative analysis provided a means to understand the role of AFP intelligence within the Australian national law enforcement work space. Through an explorative methodology this chapter has analysed the operating context for strategic intelligence within the AFP.

Chapter 7
Strategic Intelligence and the Australian Federal Police

7.1 Introduction

This chapter provides a detailed case study of the AFP's application of criminal intelligence, with a specific focus on strategic transnational organised crime (TOC) intelligence. Chapter Six provided the context for this case study through its analysis of the AFP's internal and external operating context. It also uses the international case studies (Criminal Intelligence Service Canada (CISC) and the United Kingdom's (UK's) Serious and Organised Crime Agency (SOCA) from Chapter Four) and the Australian Crime Commission (ACC) case study (Chapter Five) as a foundation for the analysis of the AFP operating context. Chapter Seven builds on the analysis of the Australian national jurisdiction's strategic intelligence methodologies and models—started in Chapter Five—through a detailed case study of the AFP's application of strategic intelligence. Subsequently, the findings of this case study will be grounded in both international and Australian national jurisdictional perspectives.

Chapter Seven explores the AFP's application of intelligence through an analysis of its corporate documents, organisational doctrine, intelligence reports and data collected through semi-structured, in-depth qualitative interviews. The chapter provides a detailed description of the AFP's application of intelligence and its relationship with decision-making processes. This analysis reveals what constitutes strategic intelligence in the AFP. The chapter compares and contrasts the AFP's application of strategic TOC intelligence with contemporary academic theories.

This chapter's structure reflects the results of the analysis of the AFP case study research data. Where necessary this analysis is used to generate propositions regarding strategic intelligence concepts. Chapter Eight will use these propositions to develop a conceptual framework for strategic TOC intelligence in law enforcement.

7.2 Conceptualisation of Intelligence within the AFP

The criminal intelligence capability within the AFP has enjoyed four separate periods of development since 1985 (see also Wardlaw and Boughton, 2006; Keelty, 2006; and Walsh, 2011 and Respondents 012-015). Between 1985 and the early 1990s intelligence in the AFP was more akin to an information collection and collation service (Wardlaw and Boughton, 2006). During this period intelligence had a very case-specific focus on the exploitation of criminal indices in support of specific investigations (see also Ratcliffe, 2008a). At the time, AFP intelligence personnel were a mixture of unsworn administrative members and sworn police officers unable to meet the requirements of other policing positions (Ratcliffe, 2008a; and Respondents 007 and 009).

During this first stage of development intelligence in law enforcement was dominated by crime analysis methodologies (see also Hawley, 2008). As a result of the application of these methodologies, intelligence products and services of the time were information-rich and analysis-poor (Wardlaw and Boughton, 2006). Subsequently analytical certainty within these products was extremely high as they were primarily based on communicating information from known sources (Wardlaw and Boughton, 2006 and Respondents 012, 019, and 020). During this period AFP intelligence reportedly experienced a very close relationship between intelligence and clients (Respondents 012, 019, and 020).

The second period of development, between 1995 and 2001, was categorised as the beginning of the rise of intelligence-led policing (ILP) (Cope, 2004). During this period the AFP rapidly adopted ILP methodologies (Ratcliffe, 2008a). This was a result of the easily identified operational value of ILP, as well as the increased levels of accountability that demanded a change in the AFP's management of law enforcement resources (Keelty, 2006). Put more simply, it was in this period that the AFP Executive realised that their ability to respond to crime had been vastly surpassed by criminal incidents and capabilities (AFP, 2007). Gill (2006) argues that at this time law enforcement was searching for a methodology to move its operational decision-making away from traditional response policing.

The AFP rapidly introduced ILP to its policing activities through the allocation of resources and staffing to the intelligence capability (Wardlaw and Boughton, 2006). Key informants (Respondents 001, and 003-005) indicated that the level of intelligence analysis associated with AFP TOC intelligence products increased dramatically. Analysis of client feedback, as part of this study, provided evidence that during this period intelligence lifted its organisational focus to an operational level (Respondents 001, 003-005, 017-018, and 031). This operational-level approach reportedly focused on identifying and targeting high-value TOC targets (Respondent 023). An increasingly operational focus supporting middle management distanced intelligence staff from investigators, especially in comparison with the previous stage of development (Hughes and Jackson, 2007; and Respondent 031).

The next stage of AFP intelligence evolution involved an even more rapid rate of change. Following the 9/11 terrorist attacks, law enforcement globally underwent a period of rapid securitisation (Innes, 2006). The AFP intelligence capability was an early adopter of this law enforcement securitisation trend in response to its increased interaction with national security agencies (Wardlaw and Boughton, 2006). The rapid expansion necessitated the further '*professionalisation*' (Respondent 023) of intelligence and a move to a much more strategic approach to its management. During this period the ranks of AFP intelligence were rapidly expanded through recruitment of military and national security intelligence professionals (Respondent 31).

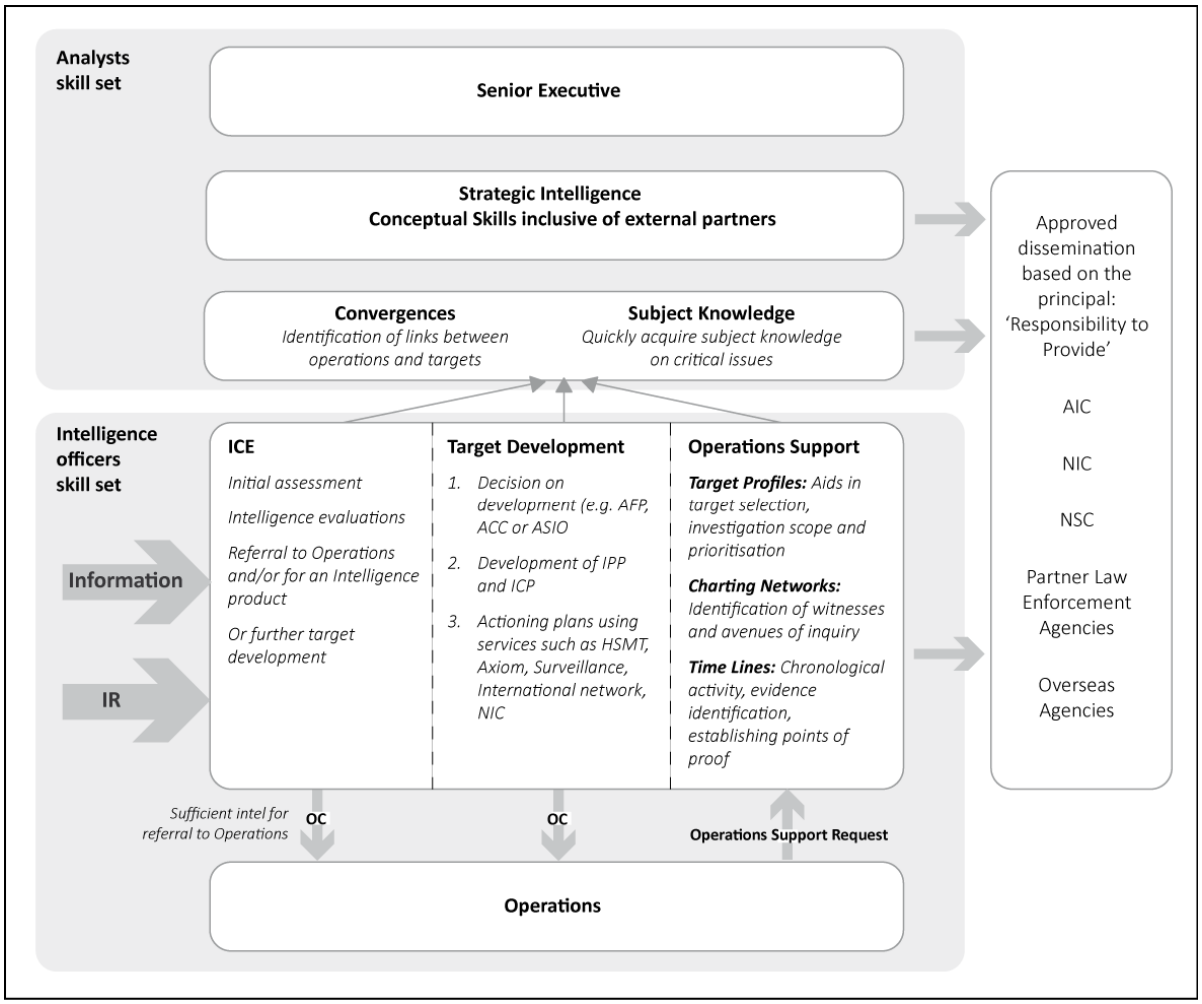
During this post-9/11 period the AFP's corporate focus rapidly moved to counter-terrorism (CT) work (Keelty, 2006). The AFP's areas of interest rapidly evolved from an inside-the-border viewpoint to a truly globalised perspective (AFP, 2007, 2008 and 2009). The distance between AFP intelligence and clients rapidly expanded due to national security requirements and organisational specialisation (Respondents 012, 019, and 020). Intelligence was reconceptualised as information-rich with all-source collection and analytically high content (Respondents 020, 021, and 023). Increasing levels of analytical content resulted in decreased certainty associated with AFP intelligence products. The wider analytical focus of CT and the globalisation of the AFP's areas of interest resulted in a rapid expansion of strategic intelligence capabilities (Respondent 023). The relevance of intelligence products for all but the most senior levels of the organisation were being increasingly brought into question (Respondent 002-004).

The final period of change to the AFP intelligence capability has been just as dramatic. Senior intelligence managers report that the change occurred in late 2008 with efforts to rebalance intelligence at the strategic, operational and tactical levels (AFP, 2010b; and Respondent 0006, 008, and 012). Formal AFP intelligence doctrine was developed to ensure that consistency could be applied to AFP intelligence work (AFP, 2010a). The aim of this change was to maintain the unique nature of law enforcement intelligence (Respondent 007). In achieving this, the focus of intelligence work was to be on threats; the new and current conceptualisation of intelligence in the AFP is target or threat-centric (AFP, 2010a). Figure 7.1 provides a graphical representation of the current AFP conceptualisation of intelligence.

Analysis of the AFP conceptualisation of intelligence (Figure 7.1) reveals a dual theoretical focus on target identification and information management. This conceptualisation does not align with Ratcliffe's ILP theory (2008a) nor Davis' (2003c, 2007 and 2009) intelligence studies theories. In comparison, the AFP's target- and information-centric approach is focused on supporting the achievement of operational and actionable outcomes (AFP, 2010a). At the macro level the model is focused on identifying, comparing and contrasting targets. This model allows for the selection of targets for further target development or

investigation through a modified Sleipner-based methodology focused on the impact of enforcement outcomes (CISC, 2007).

Figure 7.1 — AFP Intelligence Conceptualisation
(Source: AFP, 2011, 2011a, 2011b, 2011c and 2012)



The conceptualisation in Figure 7.1 is focused on building analytical certainty around the analysis of threats, so targets can be developed to a stage where they can be allocated to AFP investigators for resolution (AFP, 2010a). This latest iteration of AFP intelligence development has a mixed methodology approach to client relationships (AFP, 2010a). In certain circumstances the model calls for decentralised intelligence support for operational and tactical activity, whilst strategic intelligence processes are centralised (AFP, 2010a). The threat focus of AFP TOC intelligence places it organisationally as a function with a more central role in target development than organisational direction; however, unlike Ratcliffe's (2008a) operationally-focused ILP, the AFP Intelligence Model is more tactical- or case–specific-focused (AFP, 2010a and 2012).

The effectiveness of this AFP approach to TOC intelligence is challenged by a number of theoretical factors. In the current AFP intelligence doctrine there remains a great deal of similarity between what would be traditionally considered in the literature to be crime analysis and intelligence analysis (see also Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004, Dean and Gottschalk, 2007; and Walsh, 2011). The call for increased '*evidence-based*' intelligence in the AFP has resulted in clients identifying a number of analytical tools and crime analysis techniques, such as link analysis, as final intelligence products (Mitchell, 2007).

The '*evidence-based intelligence*' terminology has seen client perceptions of intelligence return to a pre-2000 crime analysis conception (Mitchell, 2007). In this conception, as illustrated in Figure 7.1, AFP intelligence becomes part of the information management process, conducting checks of indices and research. Dean and Gottschalk (2007) argue that information and knowledge management (KM) have an important place in contemporary law enforcement. Other contemporary intelligence luminaries such as Walsh (2011), Davis (2007), Quarmby (2009) and Fingar (2011) argue that this information management approach does not allow an organisation to experience the full strategic value of intelligence and its ability to reduce uncertainty.

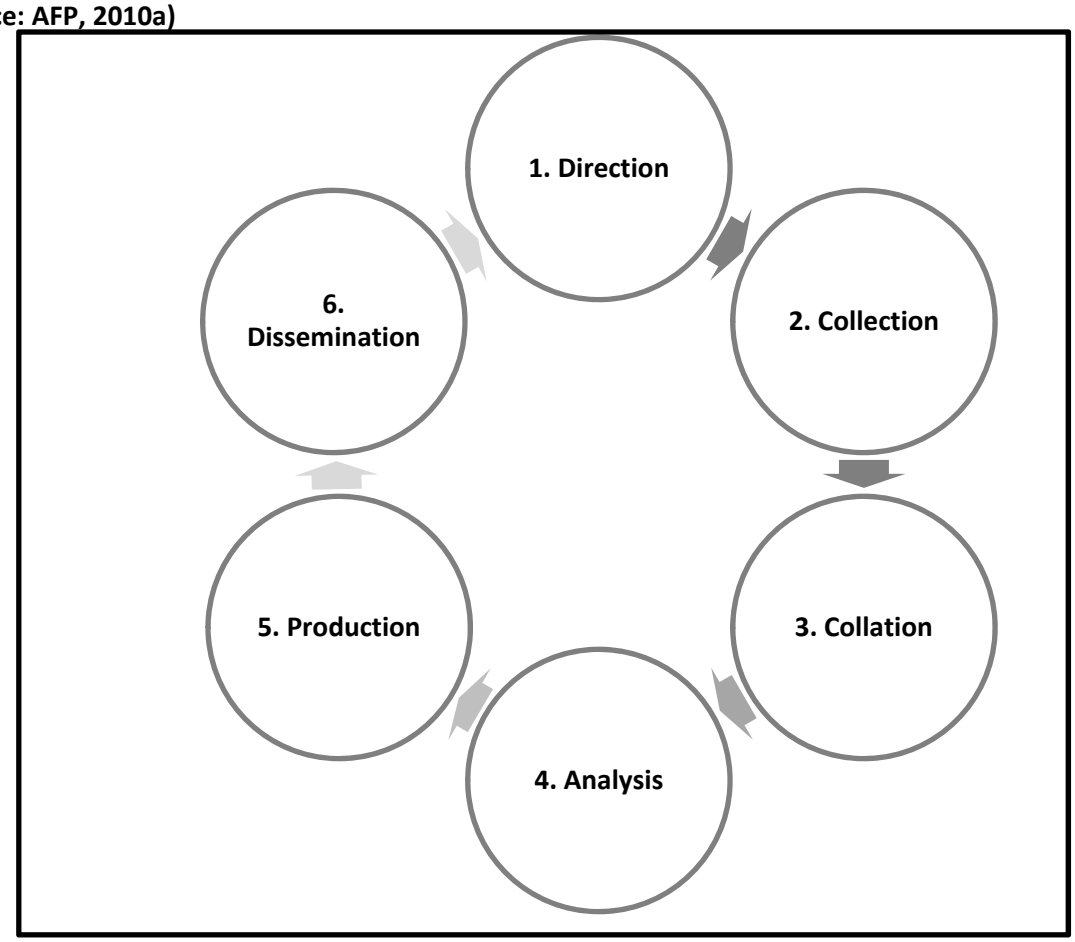
The target-centric approach of the AFP's current conception of intelligence has reversed much of the cultural distancing between AFP operations and intelligence that was previously promoted by the evolution of intelligence through the 2000s (AFP, 2010a; and Respondents 023 and 26-36). Operational (police) interview participants indicated that recently, intelligence (the function) had begun to work more closely with them in case management and decision-making (Respondent 026-036). The AFP's intelligence doctrine does not, however, identify how a target-centric approach aligns to support policy decision-making in a strategic organisation (AFP, 2010a). Intelligence literature and AFP corporate documents reveal that the target-centric approaches of law enforcement in the 1990s did not result in the strategic management of crime threat, nor risk, through response work alone (Ratcliffe, 2008a, AFP, 2010a, Walsh, 2011). More specifically, the AFP's annual reports have revealed that enforcement operations alone will not reduce the number of criminal targets in the TOC environment (AFP, 2007, 2008, 2009, 2010, 2011 and 2012). The senior AFP interview participants (Respondents 001-005) consistently argued that, in contemporary law enforcement, target-centric approaches need to be underpinned and linked with an overall strategy rather than an operational-level intelligence assessment.

7.3 AFP Conceptualisation of Strategic Intelligence

The AFP defines intelligence as '*advice produced by adding value to information with the intention of influencing or providing insight to all levels of decision-making*' (AFP, 2010a). The definition is evidence that intelligence is thus comprised of raw inputs (*'information'*), that go through a specific transformative process (*'adding value'*), designed or focused on addressing a specific issue for a specified client. The AFP intelligence doctrine has not used Ratcliffe's (2008a) 3-I Model's concept of influence as the only intelligence output. In contrast with Ratcliffe (2008a), the AFP uses a dual intelligence output of influencing and contextualising decision-making; however, its primary aim appears to be the reduction of decision-making uncertainty (AFP, 2010a).

Organisationally the AFP continues, just like the ACC, to utilise the Intelligence Cycle (Figure 7.2) to conceptualise the complex and dynamic activity of law enforcement intelligence (AFP, 2010a). The doctrinal adoption of the intelligence cycle by the AFP is disjointed by its implementation and practices (see also Walsh, 2011). AFP intelligence practice has intelligence cycle outputs defined prior to the commencement of the cycle. The nature or classification of an output is defined by an analyst's assessment of the organisational classification of their clients (AFP, 2010a).

Figure 7.2 — AFP Intelligence Cycle
(Source: AFP, 2010a)



The AFP intelligence process is based on client needs, but adopting such a limited conceptualisation of client focus has consequences (Fingar, 2011). The second order impacts of AFP strategic TOC intelligence are not always identified, denying the opportunity for serendipitous outcomes (Lowenthal, 2012). This challenge is best illustrated with a hypothetical example. An AFP intelligence report on organised crime (OC) in Hong Kong could be written for a strategic client, but in writing a strategic report the opportunity for it to serendipitously address tactical client needs may not be considered by the analyst. There is a strong possibility that this approach may not analyse issues in a holistic sense.

To understand the AFP's approach to intelligence it is necessary to explore its theoretical and epistemological construction. Strategic intelligence is defined as a:

> *Product that influences high-level decision-making. It can be informative, explanatory, and predicative. Strategic intelligence also establishes a framework for operational activities.* (AFP, 2010a)

This is a comprehensive definition of strategic intelligence that is client- or direction-focused (George and Bruce, 2008). The definition aligns with definitions presented in both law enforcement intelligence (see also Ratcliffe, 2008a; Walsh, 2011; and McDowall, 2009) and intelligence studies literature (Davis, 2007; Fingar, 2011; and George and Bruce, 2008). Interestingly the AFP definition of strategic intelligence does not limit strategic intelligence products to those outputs that are predictive in nature (AFP, 2010a). The definition intimates that intelligence's influence on decision-making processes need not be authoritative as perceived by Ratcliffe (2008a); but rather can be passive in nature.

AFP intelligence doctrine defines operational intelligence as:

> *Products that influence senior investigations officers and/or case officers in making decisions about prioritising and allocating resources. It provides targeting opportunities and identifies convergences between operations. Operational intelligence also supports strategic intelligence by identifying criminal trends.* (AFP, 2010a)

The operational intelligence definition provides further understanding of the AFP's conceptualisation of strategic intelligence. In contrast with the strategic intelligence definition this description makes moves towards a focus on targets (AFP, 2010a). Conceptually, the AFP definition (2010a) of operational intelligence is predicated on the assumption that strategic planning within law enforcement, and its implementation, moves rapidly through the organisation. The prioritisation of targets is included in the operational intelligence definition. The definition does not clearly articulate the criteria or intent of the target selection criteria. It is not clear whether intelligence target selection should be focused on achieving a strategic goal, for example reducing the supply of a certain drug type. Key informants indicated that in practice, focus was placed on a simplified analysis of targets and convergences (Respondent 012-015). Interestingly, the AFP has adopted a three-tier national security model of intelligence that includes operational intelligence (AFP, 2010a). In comparison, Ratcliffe (2008a) argues the importance of tactical and strategic intelligence.

Tactical intelligence's definition is stark in nature. The AFP defines tactical intelligence as follows:

> *Tactical intelligence is a product that influences case-specific decision-making at team level.* (AFP, 2010a).

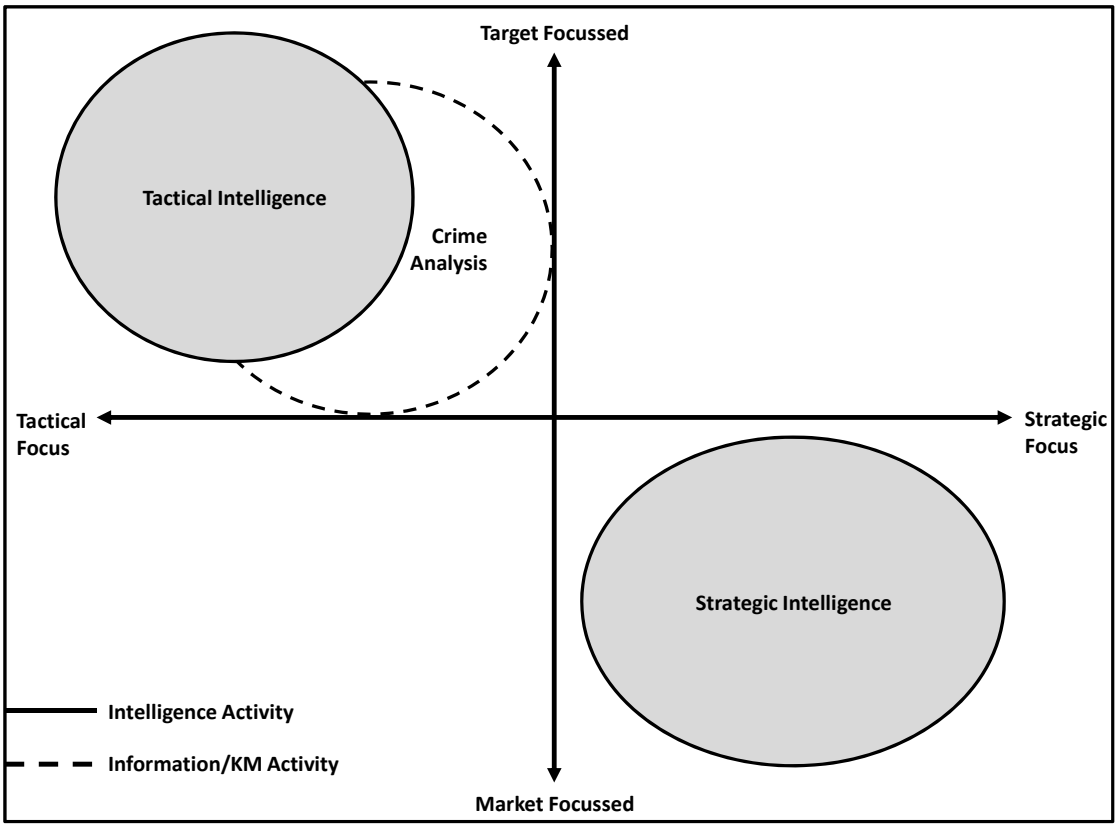
The definition provides little to the reader to understand the transformative process that is undertaken when information is distilled into intelligence (Lowenthal, 2012). Research participants, at all levels, considered tactical intelligence the most well-understood element of the AFP intelligence system. A review of AFP tactical intelligence products revealed that many involved limited crime analysis and were analytically light in nature. This appears to be a consistent pattern in law enforcement and is supported by a range of research (Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004; Dean and Gottschalk, 2007; Ratcliffe, 2008a; and Walsh, 2011).

The AFP conceptualisation of '*Information*' as an organisational commodity lacks an adequately detailed and theoretically consistent definition (AFP, 2010a; and Mitchell, 2007). The AFP has adopted a very black and white interpretation of information that is consistent with Dean and Gottschalk's (2007) construction of KM. More specifically this construction posits that information is knowledge of a crime that is factual in nature (AFP, 2010a). Even with this definition it is difficult to identify what factual data is, or when something becomes factual (Kruger and Haggerty, 2006). As highlighted in the literature review, often information cannot be confirmed as factual until after an event has occurred (see also Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004; Dean and Gottschalk, 2007; and Walsh, 2011).

Law enforcement has traditionally been focused on enforcing law within a jurisdictional-defined environment (Casey, 2007). Intelligence takes this environment and greys the lines of fact by stepping outside the bounds of legally defined fact and jurisdictional admissibility (Walsh, 2011). Defining the term '*factual data*' is context dependent and presents similar challenges as defining intelligence in the law enforcement environment.

Analysis of the AFP's intelligence products indicates the presence of a strong organisational chasm between tactical and strategic intelligence (AFP, 2012b). Tactical intelligence is focused on supporting the individual case officer (AFP, 2012a) and involves the limited analysis of raw information as it relates to specific cases or operations. Figure 7.3 highlights how tactical intelligence is target-focused.

Figure 7.3 — AFP Conceptualisation of Intelligence Focus
(Source: AFP, 2011, 2011a, 2011b, 2011c, and 2011d)



The AFP's tactical intelligence reports generally contain time-sensitive information which has undergone only limited analysis (AFP, 2010a). These tactical intelligence reports share a number of similarities with crime analysis and information reporting (see also AFP, 2010a; Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004; Dean and Gottschalk, 2007; and Walsh, 2011). There is a difference between intelligence and crime analysis within the AFP intelligence framework (AFP, 2010a).

The literature indicates that crime analysis can be conducted at strategic, operational and tactical levels (see also Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004; Dean

and Gottschalk, 2007; and Walsh, 2011). The differentiation between the nature of the level of crime analysis often appears to be predicated on the scope of the data sets, as opposed to the nature of the crime (Dean and Gottschalk, 2007). In the AFP context, crime analysis at the tactical level within the Australian Capital Territory's (ACT) policing may involve an examination of burglaries in a single suburb. In comparison, crime analysis at the AFP's strategic level could involve an analysis of statistics relating to seizure of heroin at the Australian border.

The internal AFP argument of definitional similarities between crime analysis and intelligence can possibly be resolved by the analytical projection, prediction and anticipation roles of intelligence within its intelligence doctrine (Walsh, 2011). Intelligence examines raw information adding context and meaning through collation and describes both what has happened and anticipates what the impacts will be (AFP, 2010a).

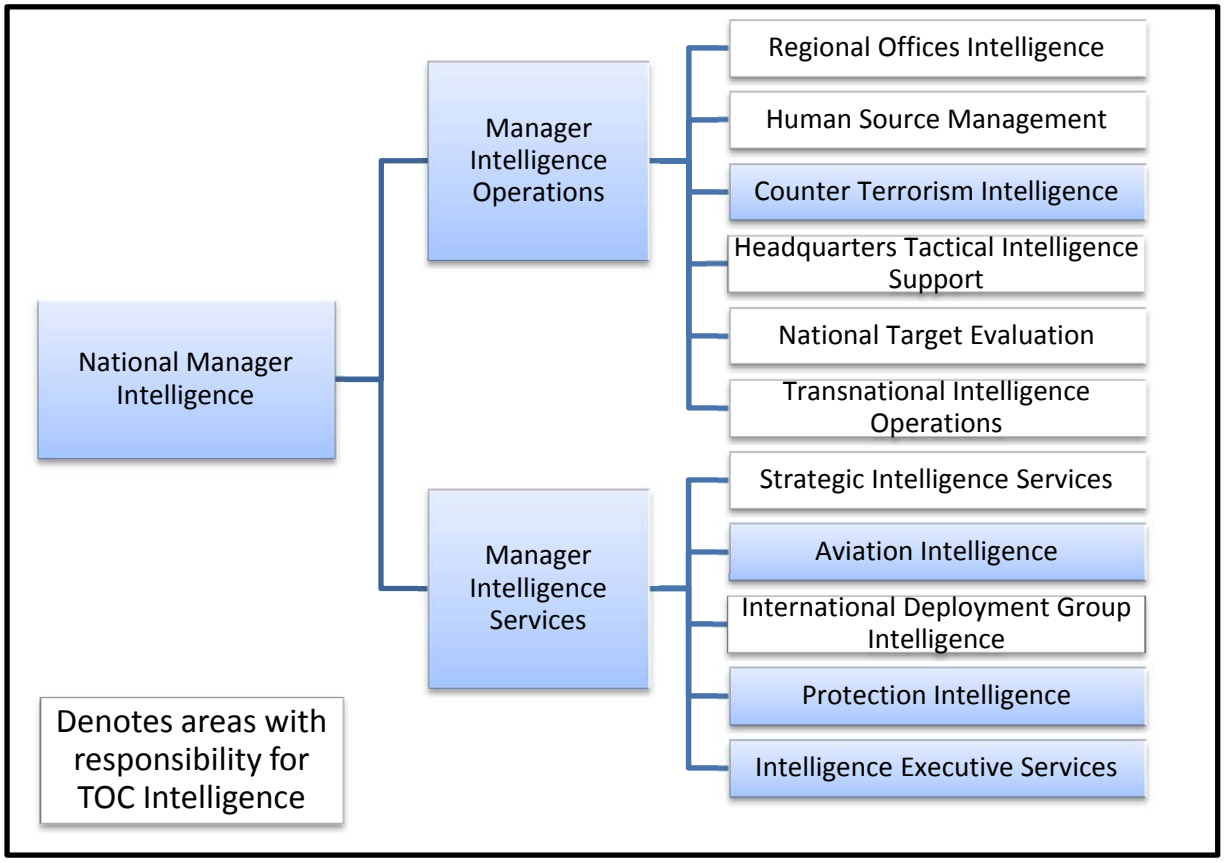
Returning to the conceptualisation model (Figure 7.3), there would appear to be little difference between tactical intelligence and crime analysis when the focus of each is analysed within the AFP case study. Differentiation of crime analysis and tactical intelligence is further complicated by the AFP Intelligence Portfolio's performance of both roles (AFP, 2010a and 2012b). Based on contemporary definitions of both terms from the literature, it would appear that tactical intelligence within the AFP case study is more akin to crime analysis (see also AFP, 2010a; Ball, 2007; Carter and Carter, 2009; Collier, 2006; Cope, 2004; Dean and Gottschalk, 2007; George and Bruce, 2008; and Walsh, 2011). The tactical intelligence focus on clients' needs at the case level, although admirable from a law enforcement perspective, raises questions with regards to the human security focus of law enforcement (Sheptycki, 2009; and Sheptycki and Wardak, 2005). Contemporary public sector management (ANAO, 2010) dictates that organisations like the AFP should be focused on achieving outcomes—their strategic intent—as opposed to providing outputs, such as arrests and seizures (Christensen and Laedreid, 2007). It would appear that this outcome focus is not possible when tactical- or case-level decision-making is disconnected or poorly aligned with strategic decision-making (Liddy, 2005).

In stark comparison to tactical intelligence, strategic TOC intelligence in the AFP intelligence construct is focused on contextualising the criminal market (2010a). There should be little surprise then that tactical decision-makers feel that strategic products are of little significance to their daily work (Respondents 26-37). Given that decision-makers are inundated with data and are capable of their own rudimentary analysis—and the time that intelligence functions require to produce strategic intelligence—there is little surprise that strategic TOC intelligence tends to be far less relevant than it should be (see also Fingar, 2011; and Lowenthal, 2012).

7.4 Intelligence Structure and Doctrine

The AFP Intelligence Portfolio's adoption of a decentralised, client-orientated organisational structure is of little surprise given its intelligence doctrine's focus on the client/analyst interface (AFP, 2010 and 2007; and Wardlaw and Boughton, 2006). Figure 7.4 provides a graphical representation of the AFP Intelligence Portfolio structure, highlighting the areas of the AFP Intelligence Portfolio with TOC responsibilities (AFP, 2010a and 2010d). Analysis of the evolution of the Intelligence Portfolio structure over the last ten years revealed that corporate funding accountabilities may be a stronger driver for structure than intelligence theory (AFP, 2010d). The structure has evolved based on funding relationships, or more succinctly as a means of linking intelligence resource expenditure to clients (AFP, 2010a and 2010d; and Walsh, 2011).

Figure 7.4 — AFP Intelligence Portfolio Structure including areas focused on TOC (Source: AFP, 2010a, 2010d, 2011a, 2011b, and 2011c)



Since 2009 the Intelligence Portfolio Management Group has sought leverage from its organisational structure to strengthen the client direction phases for the intelligence cycle (AFP, 2010a and 2010d). Analysis of the AFP's decentralised approach to intelligence structure identified questions about the Intelligence Portfolio's ability to provide holistic intelligence support to all AFP decision-makers in an integrated and consistent manner (AFP, 2010a; Lowenthal, 2012; Laqueur, 2009; and Walsh, 2011).

In 2010 the AFP Commissioner, Mr Tony Negus, highlighted the importance of intelligence in his formal strategic direction to the AFP (AFP, 2010). Commissioner Negus stated that '*intelligence-led and risk-based*' was one of his seven key strategic principles for the AFP (AFP, 2010 and 2011c). This approach was subsequently integrated into AFP decision-making on the prioritised deployment of resources to mitigate criminal and security risk (AFP, 2011 and 2012).

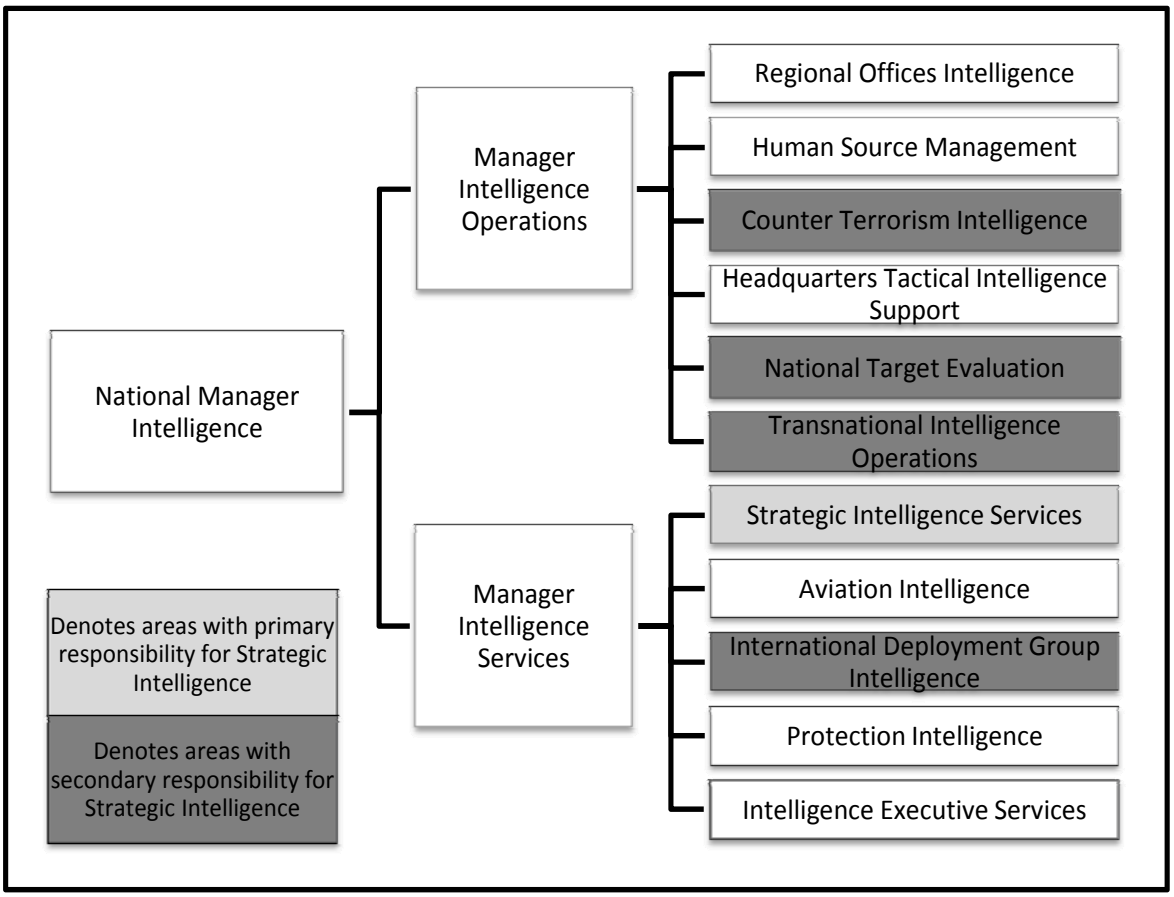
Intelligence respondents (006-026) indicated that during the adoption of the '*intelligence-led, risk-based*' strategic principle, staff experienced difficulties identifying strategic priorities for how risks were to be addressed. Intelligence (Respondents 006-026) and operational interview participants (Respondents 027-036) experienced difficulties in articulating the practical application of the AFP's risk focus. The responses during interviews grouped the risk focus as that posed by groups or individuals to the Commonwealth Government, public safety or AFP operations (Respondents 001-041). Subsequently, it was unclear from the case study how a risk-based approach is actually implemented in the AFP.

Figure 7.4 illustrates how the close alignment of resources to clients, in a financial sense, results in a fragmentation of the intelligence effort within the AFP (see also Walsh, 2011). This kind of fragmentation creates a silo effect on information flows and strategic TOC intelligence (Lowenthal, 2012; and Laqueur, 2009). The presence of a silo effect on information flows was reported by a number of intelligence respondents during interviews (Respondents 007, 012, 105, 018 and 022). In identifying this phenomenon it is important to recognise the inherit complexity and organisational challenges in structuring an intelligence unit for a law enforcement agency (Lowenthal, 2012; and Walsh, 2011).

Within the AFP Intelligence Portfolio responsibility for intelligence relating to TOC is split across both manager portfolios (AFP, 2010a and 2010d). In addition, the separation of TOC intelligence efforts is repeated within the portfolio across strategic, operational and tactical intelligence levels (AFP, 2010, 2010a, 2011 and 2012). As a result, there is a great deal of organisational pressure on informal communication networks to ensure the integration of TOC intelligence from tactical to strategic levels and back again (McDowell, 2009).

Figure 7.5 highlights the structural challenges to developing integrated strategic TOC intelligence in the AFP (see also Walsh, 2012; and Wardlaw and Boughton, 2006). The figure identifies those AFP intelligence business units with strategic intelligence roles (AFP, 2010a). Although Strategic Intelligence Services (SIS) retains organisational responsibility for strategic intelligence within AFP intelligence doctrine (AFP, 2010a), the structure indicates that a number of areas also share at least some responsibility for the development of strategic intelligence products (2010da). Analysis of the AFP's intelligence doctrine (AFP, 2010a and 2010d) and governance framework (AFP, 2004a, 2010b, and 2010c) during the research process failed to reveal any processes or systems for the integration of strategic intelligence outputs. If integration of strategic intelligence within the AFP is achieved then this provides some evidence that it is reliant upon informal networks.

Figure 7.5 — AFP Intelligence Portfolio Structure Highlighting Areas Producing Strategic Intelligence (AFP, 2010a and 2010d)
(Source: AFP, 2010a, 2011a, 2011b, and 2011c)



The AFP case study data consistently revealed the challenges of achieving integration of analysis between and within tactical, operational and strategic TOC intelligence (Lowenthal, 2012; Fingar 2011; and Laqueur, 2009). Although responsibility for the production of strategic TOC intelligence has been delegated to SIS (AFP, 2010a and 2010c), a number of additional business units produce operational and tactical TOC intelligence: the International Deployment Group, Transnational Intelligence Operations and Aviation Intelligence. These intelligence business units also contribute to developing and producing strategic TOC intelligence (AFP, 2010a). What this illustrates is that this type of structure places great importance on formal and informal communication networks to ensure cooperation and integration (Fingar, 2011).

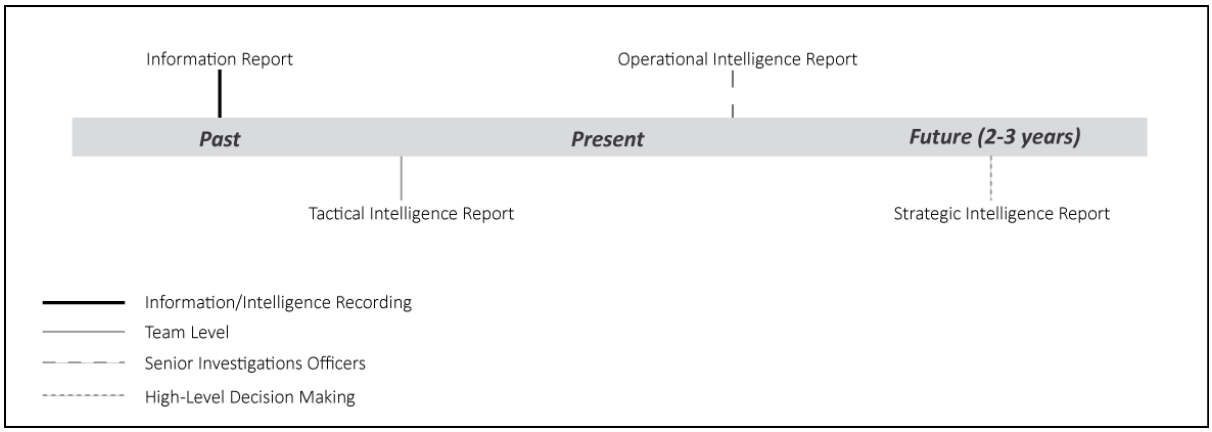
7.5 Intelligence products

In comparison with CISC, SOCA and the ACC, the AFP, through its intelligence doctrine (2010a), has adopted a much more simplified approach to the production of intelligence. The AFP has developed a four-tiered intelligence product family (2010a). The function of each of these reports is focused on, and defined by, the client's decision-making level within the AFP (2010a). Analysis of the AFP Intelligence Doctrine revealed that there are increasing levels of analytical content within operational and strategic intelligence reports (2012b). This increase in analytical content appears to be related to the increasing seniority of the intelligence client, and the organisational scope of the decisions being supported (see also Fingar, 2011; and Laqueur, 2009). This framework results in a reporting product spectrum with an information report, with virtually no analytical content on one end and a strategic product which is analysis-rich on the other (2010b). Interestingly, unlike CISC, SOCA and the ACC, AFP intelligence products do not have a specific focus on threat, risk or harm assessment, choosing instead to utilise a variety of analytical approaches based on the subject matter and client needs.

Figure 7.7 provides a graphical analysis of the AFP's intelligence products, identifying their client and time-series focus (AFP, 2010a and 2012b). The analysis utilised data from the document analysis and interview responses. Figure 7.7 reveals that the AFP intelligence product framework, compared with the other case study sites, offers intelligence staff and their clients a simplified model for understanding intelligence support.

Figure 7.6 — Timeline Analysis of AFP Intelligence Reporting

(AFP, 2010a)



The simplification of intelligence support may, as argued by Davis (2002) and Lowenthal (2012), degrade the integration of intelligence products. Integration in this case refers to the synchronisation and synergising, as an ongoing process, of each level of TOC intelligence: strategic, operational and tactical intelligence in the AFP (see also Walsh, 2011; and Lowenthal, 2012). The desired outcome of synchronisation and synergy of TOC intelligence product lines is reduced decision-making uncertainty (Fingar, 2011). This integration becomes increasingly important for decision-makers as the framework moves from the information report level to strategic level, at which time analytical certainty is reduced because of the future focus (Quarmby, 2009). The AFP's main intelligence products are outlined below

The AFP's Information Report (IR) is the means by which staff can record criminal information on its case management system, PROMIS (AFP, 2010a). The IR can be used by any AFP staff member to record raw information related to '*a fact or circumstance*' dealing with criminality of a national jurisdictional nature. The AFP definition of the purpose of the IR is somewhat ambiguous (AFP, 2010a). Operational (Respondents 026-037) interview participants reported that the need to complete an IR is a matter for the staff member's interpretation on what constitutes a fact and whether it is of significance.

Tactical Intelligence Case Note Entry (TICNE) is the AFP business process for recording tactical intelligence on its case management system to support case-specific decision-making (AFP, 2010a). The AFP doctrinal definition of a TICNE intimates that, like information, intelligence exists without the aid of analysis (AFP, 2012b; and George and Bruce, 2008). A TICNE gives rise to some theoretical conflict over whether intelligence is something that is discovered, as opposed to something that is created through a value-add process as indicated within AFP intelligence doctrine (AFP, 2012; and Walsh, 2011).

A TICNE is used to electronically generate a Tactical Intelligence Report (TIR). TIRs are developed to provide intelligence support for a case-specific tactical decision-maker (AFP, 2010a). Interviews with intelligence staff (Respondents 006-026) indicated that as a general rule a TIR is produced to address time-sensitive decisions.

Discussions with research participants (Respondents 001-041) on the nature of case-specific decision-making in the AFP revealed that many tactical- or case-level decisions have strategic implications (Liddy, 2005). The AFP senior respondents (Respondents 001-005) consistently indicated that a tactical-level decision has strategic implications, as opposed to being strategic decisions in their own right. Contemporary military studies of strategic decision-making has, in comparison, argued that tactical-level staff can, and do, make strategic decisions; this has given rise to the concept of the strategic corporal (Liddy, 2005). The nature of policing and the independence and discretionary power of police officers in the AFP support the development of a similar construct: the '*strategic federal agent*'. If this is possible, then intelligence that is tactical and case-specific can, or rather could, also be

strategic in nature (Fingar, 2011). The reverse can also be said: tactical intelligence and tactical decision-making can have impacts on the strategic decision-maker.

The AFP's Operational Intelligence Report (OIR) serves both an intelligence and information role (AFP, 2012a). The OIR is used to communicate intelligence that has implications beyond a single operation or case to case officers and functional management. OIRs are focused on aligning intelligence outputs with operational clients, CT intelligence for CT as an example (AFP, 2010d). The report type serves a number of roles but most importantly assists key operational decision-makers in the prioritisation of work and allocation of resources (AFP, 2010a).

AFP intelligence's aim of supporting operational decision-making is complicated by competing decision-support systems (AFP, 2010d). The AFP developed its Case Categorisation and Prioritisation Model (CCPM) (AFP, 2010e) with input from Ministerial direction (O'Conner, 2010) and the AFP Strategic Plan (2011c). The CCPM provides operational decision-makers with a consistent mechanism to align task prioritisation with the strategic Outcome and Outputs Framework (2011c). In this organisational context it is difficult to identify how the OIR can be effectively used, given it is separated from higher-level crime analysis, policy input and operational police reporting inputs in case- or crime-type decision-making.

The AFP's Strategic Intelligence Report (SIR) is used to provide high-level strategic insight to influence key decision-makers (AFP, 2010a). The intelligence portfolio has widened the definition of influencing from that suggested by Ratcliffe (2008a) to include informing, explaining and predicting functions. In an effort to overcome previous problems with academic and esoteric intelligence products at the strategic level the AFP's SIRs still have a very strong operational focus by providing context to operational activity (AFP, 2012).

7.6 Strategic Leadership Group and Strategic Intelligence

The AFP's strategic leadership group (SLG) membership is comprised of the organisation's executive leaders (Commissioner and Deputy Commissioner) and functional managers (internally referred to as National Managers who hold the rank of Assistant Commissioner or equivalent) (AFP, 2004a). The SLG is charged with managing the AFP's resources and capabilities to deliver its organisational outputs and achieve its strategic outcomes (AFP, 2010b). The work of the SLG is divided between addressing immediate, emerging and future issues. The SLG's corporate documents describe the AFP as an operationally-focused organisation whose work is predominantly operational in nature (AFP, 2011c).

During the collection phase of this research SLG research participants (Respondents 001-005) often raised themes relating to complexity of the decision-making context they face when dealing with TOC. The AFP's SLG are faced with an extensive range of complex and competing TOC priorities, which the AFP's finite resource capacity is unable to meet (AFP, 2010, 2011, and 2012; and Wardlaw and Boughton, 2006). An analysis of the qualitative data collected from SLG participants (Respondents 001-005) revealed that their most complex decision-making challenge was related to forward-focused resource allocation and external engagement, with a particular focus on exploiting opportunities and mitigating risks with regards to TOC (Sheptycki, 2009). Since 2005 this has become further complicated, as the AFP has been recognised by the Australian Government as a source of policy support and as an alternative to other interventions—especially within the international environment (Rogers, 2009; O'Connor, 2010; and AFP, 2012).

Whilst the role of the Policy unit within the AFP was discussed in Chapter Six it is important to once again highlight the pivotal information management role it performs for the AFP's SLG (2010b). The Policy unit performs an important coordination role in the AFP's TOC decision-making and strategy setting process (Respondents 036-041). The coordination role includes the collation of a range of decision-support inputs from across the organisation, which includes intelligence (2010b). Often these decision-support inputs are divergent, especially when related to SLG decisions regarding the allocation of priorities and resources (Keelty, 2006).

The complexity of the strategic decision-making context in the AFP naturally results in a divergence of opinions and analysis in decision-support material (AFP, 2012). The SLG are faced with the challenge of allocating finite resources with a combined current, emerging and futures focus on TOC (AFP, 2004). This is a decision-making challenge similar in nature to that experienced by the CISC, SOCA and ACC executive bodies. The AFP's SLG is seeking to achieve a balance of allocations with the least corporate risk whilst achieving the most harm reduction (AFP, 2012).

Throughout the research SLG participants' responses shared a number of common themes around the utility of strategic intelligence to the SLG's work. The four most common themes can be summarised by the following comments:

- '*Strategic intelligence is often interesting, or nice to know, but it is difficult to see how we can use it*' (Respondent 002);
- '*Strategic intelligence is very academic. It is generalised to the point to which there is nothing we can do*' (Respondent 003);
- '*I am often left wondering so what?*' (Respondent 004); and
- '*…comes a distant second to factual operational reporting*' (Respondent 005).

These observations were indicative of previous research and commentary on strategic intelligence in law enforcement (see also Ratcliffe, 2008a; Cope, 2004; Fingar 2011; George and Bruce, 2008; and Gill, 2009). Subsequent inquiries with respondents indicated that the comments related to the content of strategic intelligence reports and their utility in supporting decision-making (Respondents 001-005, 007, 026, and 035-041). SLG respondents (Respondents 001-005, 007, and 026) reported that they were often unable to clearly identify the specific wider strategic implications of AFP strategic TOC intelligence reports. Interviews with Policy unit staff, (Respondents 035-041), indicated that course of action (COA) development was not undertaken on TOC-focused strategic intelligence.

The literature argues that in the national security environment, policy units utilise strategic intelligence to generate potential policy or strategy COA (Fingar, 2011; and Davis, 2007). National policy units consider the intelligence problem and examine what and which policy levers can be used to impact upon or mitigate a TOC issue (Fingar, 2011). This analysis is then utilised by the Policy unit to generate potential courses of action for strategic decision-makers' consideration and endorsement (Davis, 2007). Whilst national security and military applications of strategic intelligence have sought to distance themselves from policy there would seem to be a greater need for closeness of policy and intelligence within law enforcement applications targeted at TOC (Walsh, 2011; and Fingar, 2011). This difference is driven by law enforcement's recent move to strategic management and the less developed and mature policy development cycle (Sheptycki, 2009).

7.7 The Client Experience with Strategic Intelligence

Non-SLG AFP interview participants (006-041) indicated that strategic intelligence had very little direct impact on their decision-making with regards to TOC. Investigators and other operational participants (Respondents 026-037) consistently implied that they saw very little use for strategic intelligence. Junior investigative staff's responses (Respondents 031-037) were thematically grouped around the irrelevance of strategic intelligence products to TOC investigations. When asked how their TOC investigations and disruptions linked with the AFP's strategy the respondents revealed that their role, job or mission was to '*investigate and bang up crooks*'. In this context, '*bang up*' refers to the concept of successfully prosecuting criminal offenders (Respondents 031-037). The viewpoint is not consistent with AFP Strategic Plans (2007 and 2012), nor contemporary literature concerning law enforcement planning (see also Harfield, MacVean, Grieve and Phillips, 2008; and Gimber, 2007).

At junior levels of the AFP research participants' responses revealed very little association between tactical activities and strategic intent (006-041). This is an important observation that runs contrary to that experienced in the dominate research area of intelligence studies (Davis, 2007; Fingar 2011; and Lowenthal, 2012). Within intelligence studies, tactical clients are increasingly being called upon to make decisions that are strategic in nature, which has given rise to the concept of the '*strategic corporal*' (Lowenthal, 2012 and Liddy, 2005).

With this initial analysis it would be easy to underestimate the strategic nature of TOC decision-making that is undertaken at the tactical and operational level of law enforcement. Analysis of AFP corporate reporting of events such as the Bali Bombings, and feedback from the SLG, provides evidence that the AFP's most important and decisive TOC successes have been related to an individual officer's ability to proactively identify strategic risks and opportunities (AFP, 2008, 2009, 2010, 2011 and 2012).

Previous research has reinforced the importance of the discretionary powers of the constable, not to mention the problem solving abilities of police, but these have not been previously linked with corporate success against TOC (see also Collier, 2006; Collins, 2005; Gill, 2006; and Gimber, 2007). The AFP case study revealed that there is at least some requirement for all levels of law enforcement to have access to, and demand for, strategic intelligence if strategic TOC opportunities and risks are to be identified (Quarmby, 2009; and Walsh, 2011).

A review of the other case studies (CISC and SOCA in Chapter Four and the ACC in Chapter Five) suggests that definitions for strategic intelligence across the case study sites are aligned to the senior decision-making client (ACC, 2011b; AFP, 2010a; CISC, 2011; and SOCA, 2011b). The AFP case study interviews (Respondents 001-046) implied that the clients of strategic intelligence may extend beyond senior decision-makers if the products are appropriately developed for wider consumption. A review of the AFP's intelligence clients' interviews (Respondents 001-006 and 026-046) also indicated that the application of the direction phase within the intelligence cycle methodology does not reflect reality at the work level when dealing with TOC (AFP, 2010a; and Respondents 007-025). Intelligence managers indicated that they felt that their clients were unable to articulate what their specific TOC intelligence needs and priorities were (Respondents, 007-010). In part this could be causally linked to one or more factors including such challenges as national policing of TOC's wide area of interest (Casey, 2007).

The research interviews (Respondents 001-46) consistently revealed that the AFP was very much a bottom-up managed organisation. The organisation's budgeting and priority setting decision processes were set at functional, rather than enterprise, level through a bottom-up model (Respondents 012, 019, 028-032 and 040-041). Policy respondents (036-041) indicated a similar phenomenon where policy is developed at a functional level and escalated to SLG for approval. Feedback from SLG participants (Respondents 002 and 003) stated that this was part of a deliberate strategy to support independence and flexibility. For the strategic intelligence capability targeting TOC this means that the focus should be on providing this wider set of clients with sufficient strategic intelligence to identify strategic risks and opportunities (Fingar, 2011).

7.8 Analysts' Experience with Strategic Intelligence and Clients

Seventy per cent (14) of the intelligence professionals (n=20) who participated in the research indicated that their clients were often unable to identify the policy or decision implications of strategic TOC intelligence reports. One particular respondent (Respondent 021) indicated that '*the AFP Executive just don't know what to do with strategic intelligence*'. Similar comments by other respondents (Respondents, 008, 009, 012, 015 and 017) consistently revealed that the AFP's decision-makers were not able to sufficiently identify the implications of emerging issues without them being '*spelt out*' (Respondent 015) by intelligence staff. All intelligence staff participants (n=20) argued that the full value of strategic TOC intelligence was rarely realised in law enforcement. This is a position which is strongly supported by Quarmby (2009) and Walsh (2011).

Eighty per cent (16) of the intelligence staff respondents (n=20) indicated that traditional intelligence methodologies, including the production of large format estimates on TOC, had little place in law enforcement. When queried on these responses, intelligence clients (Respondents 001-005 and 026-041) and professionals (Respondents 006-025) alike implied that the reports were rarely used in any practical sense. One respondent (003) stated that '*even if long reports were read in their entirety, they have very little practical application*'. One executive respondent (005) indicated that senior law enforcement officers were inundated with urgent reporting and decision-support material, so long-form reports had limited impact.

All SLG respondents (n=5) implied or stated that their role in combating TOC was one of taking advantage of strategic risks and opportunities to achieve results. One respondent (004) argued that strategic decision-makers '*face a decision-making environment that is increasingly complex*'. Whilst a second respondent (002) contended that '*intuitively*' integrating all of the AFP's business and strategies relating to TOC was becoming increasingly difficult. In each case the SLG participants (n=5) asserted that they were not directly interested in the details of the complexity, but in identifying the key issues. This position did not appear to be understood by intelligence analysts interviewed during the research (Respondents 015-025).

Intelligence interview participants revealed that there were very few tangible links between the work that they did and organisational TOC decision-making, whether made '*upstairs*' (015; referring to the AFP SLG) or by policy (Respondents 015-025). Ninety per cent (9) of intelligence respondents (n=10) who had produced strategic intelligence (relating to TOC) were unable to provide an example of when their products were used to make a specific decision. SLG (001-005) and operational staff (026-036) provided similar responses: '*although interesting, TOC strategic intelligence was often neither timely or decision focused*' (029). Analytical staff indicated that the complex nature of their work, the long lead times of long-form reports and the preoccupation with '*evidenced-based*' intelligence were the major drivers impacting on the effectiveness of strategic intelligence (Respondents 015-025).

Seventy-three per cent (30) of the AFP research participants (n=41) indicated that the dogmatic reference to intelligence theory and doctrine by intelligence professionals, and the separation of policy and strategic intelligence, were substantially reducing the impact of AFP strategic TOC intelligence. These respondents did not argue that the TOC analysis undertaken in the AFP was not valid, but rather that it did not reduce any uncertainty in specific decision-making (50% or 20 respondents), nor did it identify strategic risks or opportunities (22% or 9 respondents) (Fingar, 2011). As expressed by one intelligence client (029): '*strategic intelligence is a flow of worst case scenario modelling*'.

Seventy-five per cent of the research interviews with intelligence clients (n=21) implied that there was potentially a greater need for strategic TOC intelligence to be contextualised. Strategic TOC intelligence's adoption of traditional intelligence studies' approaches (Lowenthal, 2012), such as distancing itself from policy units and strategic decision-makers (Fingar, 2011), may be counterproductive in contextualising intelligence for decision-makers.

Seven out of the ten analysts interviewed appeared to have little direct knowledge of the AFP's strategic context or client needs in general. These respondents (015-025) described themselves as subject matter experts, likening their role to a process of scanning the horizon. When the issue of risks and opportunities was discussed, intelligence respondents were unfamiliar with the application of the terms; instead, they used the terms '*emerging issues*' and '*trends*' (Respondents 015-025). In these responses (Respondents 015-025), discussion of issues and trends indicated that they were related to trajectories of a range of geographic and thematic crime issues.

Forty per cent (four) of analysts interviewed (n=10) mentioned the intertwined nature of the geopolitical environment and TOC. When discussing the ILP model (Ratcliffe, 2008a) and the AFP intelligence doctrine (AFP, 2010a), SLG respondents (n=5) indicated that strategic TOC intelligence had to deal with the interconnected nature of the criminal and wider environment if it was to provide understanding of the complexity of law enforcement

issues. The underlying argument for this was the interconnectedness of TOC with wider social and geopolitical policy issues (Respondents 001-005).

Seventy per cent (32) of all respondents (n=46) made some reference to a reluctance amongst AFP intelligence staff to deal with complexity. One strategic intelligence staff member (020) argued that the analysis of heroin would focus on what was known and the key drivers, but would not examine the issue from a logistical supply chain view point. A second (021) added that the dogmatic adherence to intelligence doctrine prevented AFP strategic intelligence from being more effective. Traditional senior leadership intelligence clients (001-005) were not unhappy with the quality of the strategic TOC intelligence products that they received. However, all of these same clients (Respondents 001-005) were often not sure what to do with the products once they had been reviewed.

During the research 80 per cent (nine) of operational respondents (n=11) indicated that the AFP was an '*operational law enforcement agency*' focused on achieving standard law enforcement key performance indicators. All of the SLG respondents (001-005) argued that this was true, but it was a combined model of top-down and bottom-up management. What was missing in the responses of both groups of respondents was an understanding of how individual law enforcement actors made strategic TOC decisions.

Lengthy interviews with SLG respondents (001-005) revealed that the strength of contemporary law enforcement targeted at TOC was that individual Federal Agents could make strategic impacts by exploiting strategic risks and opportunities. To achieve this same impact in an increasingly complex strategic context staff need to know and understand the AFP strategic context (Casey, 2007). This is a substantial driver for strategic analysts to widen the scope of their definition of strategic clients in the AFP TOC context.

7.9 Theory and Practice

An overarching theme across all participants' responses (n=46) was the incongruence between intelligence theory and practice. A review of the literature reveals that this incongruence appears to have been recognised previously, in both law enforcement and law enforcement intelligence theory (see also Ratcliffe, 2008a; Cope, 2004; Fingar, 2011; George and Bruce, 2008; Gill, 2009; and Carter and Carter, 2009). Analysis of all research participants' responses (001-046) revealed that the respondents define '*theory*' as the written or formal components of an intelligence system contained within corporate documents and academic publications. Seventy per cent (28) of participants (n=46) made particular reference to '*practice*'. Practice in this context appeared to consistently refer to the combination of the formal process and the respondents' experiences with the process.

Sixty per cent (12) of intelligence respondents (n=20) described theory using words to the effect that it was a guide to understanding process and work. Forty per cent (8) of intelligence participants (n=20) indicated that the AFP intelligence theory (AFP, 2010a) was often not representative of work-level activities, nor the complex nature of law enforcement related to TOC. One respondent (025) argued that '*theory*' was the '*map for achieving an outcome or output*', but that it was practice, rooted within the organisational context, that resulted in an outcome. In comparison, some SLG respondents (002 and 004) often viewed both police and intelligence theory as '*aspirational*' in nature.

The AFP's corporate documents and doctrine (AFP, 2012a) revealed that intelligence studies' assumptions underpin its agency-specific TOC intelligence doctrine and practice (Ratcliffe, 2008a; and Fingar, 2011). Traditional intelligence doctrine underpins the formal components of the AFP's intelligence governance (AFP, 2010a and 2010d). The intelligence cycle, combined with the specific demands of the AFP's operating context, underpins the development of the AFP's more detailed agency-specific AFP intelligence doctrine (2010a). If the underlying assumptions are wrong when applied with any specificity there is a real possibility that organisational intelligence doctrine and governance frameworks will be incorrectly orientated (Graziano and Raulin, 1989). If there is a substantive difference between doctrine and practice this could be indicative of issues with the validity and reliability of the underlying theory (George and Bruce, 2008; and Champion, 2006).

Previous research has indicated ongoing gaps between law enforcement practice and ILP theory (Carter and Carter, 2009; Cope, 2004; and Harfield, 2008). Within the AFP case study ILP's applicability to TOC issues was often denigrated by intelligence (70% of respondents) and operational respondents (90% of respondents) alike (see also Ratcliffe, 2008a). The issue appears to have been centrally themed around the challenge of translating ILP theory into practice (Cope, 2004). More specifically, 80 per cent (16) of intelligence respondents (n=20) indicated that they were but one '*voice*' amongst many that were seeking to guide decisions. Twenty-five per cent (5) of intelligence staff respondents (n=20) indicated that they were a lesser voice than that of operations. Regardless, 50 per cent (10) of intelligence respondents (n=20) stated that they were not adequately across all analytical subject matter areas to produce sufficient intelligence to actually make ILP work as a primary decision-making system (Ratcliffe, 2008). Eighty per cent (four) of SLG respondents (n=5) and 60 per cent (12) of intelligence clients (n=21) indicated that often intelligence products did not clearly articulate how decisions or strategies should be developed. Questions on this subject again led to responses of intelligence being '*academic in nature*' (Respondent 003) or '*interesting*' (Respondent 003) but often lacking relevance.

Eighty-five per cent (39) of research participants (n=46) indicated that there was a substantive divergence between the aspirational theory of ILP (Ratcliffe, 2008a) and decision-making in law enforcement. More specifically, 40 per cent (19) of participants (n=46) argued that the models for ILP lacked sufficient depth to be practically implemented (Cope, 2004). One SLG respondent (004) specifically described ILP as a '*useful concept for community policing*' but the complex nature of '*national policing*' and the TOC operating environment made it too simplistic to meet the needs of decision-makers. A second respondent (005) indicated that ILP offered an aspirational goal that had more recently become a '*catchphrase*' for policing.

During the research field phase, policy respondents (037-042) raised a number of questions about the role of policy decision-support products within the ILP model and within organisations implementing ILP. The most common responses (80% n=5) indicated that ILP did not sufficiently deal with the other decision-support material provided to strategic TOC decision-makers. More specifically, one policy management respondent (041) argued that the model did not effectively deal with the nature of executive decision-making in law enforcement. The same respondent (041) stated '*ILP appears to argue that we can respond and influence every element of the crime environment*'. Both policy (037-042) and operational respondents (026-037) consistently argued that ILP does not deal with the challenges of inconclusive data, competing demands and multiple decisions inputs.

Seventy per cent (32) of all research participants (n=46) trended towards recognising the importance of the aspirational nature of ILP. This response trend serves as evidence of the presence of a problem with the validity of the ILP model, or more specifically the 3-I Model (Ratcliffe, 2008a), within the high-policing TOC work space. Within the TOC working environment the 3-I Model (Ratcliffe, 2008a) and ILP do not appear to adequately deal with the complexity of the decision-making environment (Cope, 2004). All SLG respondents (n=5) argued that ILP on its own in the AFP would not provide sufficient information to guide decision-makers. More specifically, respondents 002 and 003 stated that TOC intelligence needed to be grounded in the operating context of other law enforcement issues and the wider society (Gimber, 2007).

Interviews with SLG respondents (001-005) revealed regular references to the challenge of identifying strategic risks and opportunities. Similarly, 60 per cent (6) of operational policing respondents (n=11) indicated a need to focus on identifying risks and opportunities within their daily work. Seventy per cent (11) of SLG (001-005) and operational decision-making respondents (026-37) argued for some degree of alignment of these risks and opportunities to strategic outcomes. Seventy per cent (7) of operational policing respondents (026-37) stated that risk and opportunity identification was specifically focused on achieving operational outcomes, which contributed towards strategic performance indicators: arrests and seizures. In comparison, SLG members (001-005) stated that risk and opportunity efforts in intelligence should be focused on '*achievement of tangible outcomes*', '*performance measures*', '*force multiplication opportunities*', '*improvements in efficiency and effectiveness*', and '*identifying mechanisms to proactively shape the AFP operating environment*'.

7.10 Estimative and Predictive Intelligence

Research interviews (001-037) supported by corporate documents (AFP, 2010a, 2010d 2010, 2011, and 2012) revealed that there has been substantive change in the AFP's preference for estimative and predictive intelligence during the period 2009 to 2012. It is important to note the important role information plays in intelligence processes and law enforcement (Carter and Carter, 2009). As indicated by Hughes and Jackson (2007), information is power within law enforcement. As such, intelligence staff, especially within the AFP, experience difficulties in obtaining information feeds to support the intelligence process (Carter and Carter, 2009). This inability to obtain criminal information held by operational staff was recorded by all intelligence respondents (006-026).

All intelligence respondents (006-026) argued that AFP decision-makers held some types of information and intelligence in higher regard. These responses serve as evidence of a hierarchy of information sources defined by the value that the organisation's culture places in each source's reliability. Sixty-five per cent (7) of operational respondents (n=11) revealed a preference for receiving telephone intercepts and human source material over analysed intelligence products. Senior management respondents (001-005) stated that the relevance of strategic intelligence reports raise rapidly where they can be directly linked to operational action or influence. All intelligence respondents (006-026) stated a great deal of focus was placed on the '*operationalisation*' of intelligence (AFP, 2010d). Intelligence managers (006-009) noted that although reports containing operationally significant information are valued, key operational performance outcomes are seldom tangibly linked back to intelligence either formally or informally.

7.10.1 Estimative Intelligence

AFP intelligence clients strongly support the production of estimative products, but client understanding of the resourcing issues, opportunity costs and return on investment is limited (Laqueur, 2009 and Respondents 006-009). The AFP estimative intelligence product construct is based on an adversarial model of threat (AFP, 2010a; and Lowenthal, 2012). The AFP's estimative products examine all the threats in the environment often from a dual crime type and criminal entity approach (AFP, 2012b). The AFP's SIRs' estimative assessments on TOC have, until recently, most often been encyclopaedic in nature (AFP, 2012b). Rather than being focused on an estimation of the threat as argued by Fingar (2011) the reports have a tendency to be a summary of all that is known (AFP, 2012b). Unlike the military and national security applications of estimative products the decision-support focus of the process is less clear in the AFP (Fingar, 2011; and Lowenthal, 2012).

Intelligence respondents (006-026) most often criticised TOC estimative products on the basis of cost, timeliness and impact. Long-form estimative products have a large resource imposition for the AFP (2010a; and Respondents 007-010). The collection, collation and analysis of data for estimative products is an extensive and resource intensive activity (AFP, 2010a; Laqueur, 2009; and Walsh, 2012). The long lead time required to undertake this process impacts upon product timeliness (Fingar, 2011). SLG respondents revealed that the size and nature of long-form strategic estimative products often made them difficult to understand (Respondents 001-005).

7.10.2 Predictive Intelligence

Between 2009 and 2010 the AFP Intelligence Portfolio increasingly focused on the development of predictive strategic TOC intelligence products (AFP, 2010a and 2010d). The predictive products were shorter in nature and more focused on utilising current intelligence to predict emerging and future threats as well as crime trends (AFP, 2012b; and Respondents 007-010). Exploration of intelligence products (AFP, 2012b) and research interviews (006-020) revealed that AFP predictive intelligence is underpinned by an analytical construct that historical behaviour is predictive of future threats. This model does not seem to adequately deal with the commonly used entrepreneurial and learning models for TOC (Galeotti, 2005). Furthermore, the application of this approach is underpinned by a focus on the criminal environment rather than the drivers for TOC activity (AFP, 2012b).

Sixty per cent of intelligence clients (n=25) criticised predictive intelligence for being an activity in worst case scenario generation. One senior manager (003) indicated that, more often than not, predictive intelligence reports '*rang the bells of warning*'. Another SLG respondent (005) advised that the nature of the reports was overly negative, often lacking any holistic contextualisation of threat material. From the research material and respondents (001-046) it appeared that the predictive intelligence impacts were negated by the constant highlighting of problems, which appear to have desensitised clients to reporting (Quarmby, 2009; Fingar, 2011; and Walsh, 2012).

Forty per cent of strategic decision-makers (two) and 60 per cent (three) of policy respondents indicated that the predictive intelligence framework did little more than identify the presence of potential TOC issues. These respondents (002, 003, 037, 039 and 040) typically indicated that the policy or decision following on from predictive strategic intelligence products was not always obvious. Ratcliffe's (2008a) 3-I Model argues that intelligence, within ILP organisations, should be action-orientated and directed towards impacting on the crime environment. SLG decision-maker feedback (Respondents 001-005) indicated that such decisions were not obvious when consuming AFP predictive strategic intelligence products.

Eighty per cent of intelligence respondents (16) raised the concept of combining the elements of the estimative and predictive processes as a potential option for improving strategic intelligence performance. Rather than advocating these constructs as end products intelligence respondents argued that they are the analytical tools that permit the development of contextualised intelligence reports that anticipate developments in TOC. Anticipative products in this case are not just an amalgamation of previous work or an exercise in the practical conduct of ILP theories (Fingar, 2011). Rather, anticipation is a fully contextualised, future-focused intelligence output that defines the conceptual breadth and depth of the strategic questions being asked (Quarmby, 2009; Fingar, 2011; and Walsh, 2012).

Throughout the interview stage the terminology '*evidence-based intelligence*' was used by intelligence clients at all levels. However, a review of the AFP's intelligence doctrine (AFP, 2010a) failed to identify any reference to the term. Further exploration of the issue with intelligence clients (Respondents 001-005 and 027-046) indicated that the term was making reference to the desire for greater decision-maker confidence in the accuracy and reliability of intelligence assessments. A review of the literature found a small number of references to the term (Mitchell, 2007). In contemporary literature the term '*evidence-based intelligence*' relates to a construct of intelligence reliability (Fingar, 2011). This could be considered the overarching terminology or theory for the application of source grading systems used by analysts during the collation of information (George and Bruce, 2008). Further discussions with intelligence respondents (006-027) revealed that the term was more akin to a client demand for increasingly more accurate futures intelligence. The achievement of '*evidence-based intelligence'* appears to be an aspirational goal given the difficulties of accurately predicting future events (Lowenthal, 2012).

7.11 Strategic Intelligence and Policy

The strategic intelligence and policy workspace within the AFP proved difficult to conceptualise. This was a direct result of the absence of sufficient organisational history and maturity in strategic decision-making within the AFP (Quarmby, 2009). Whilst this is entirely consistent with the other case study sites (CISC, SOCA and ACC), the AFP appears to have been a law enforcement pioneer in working in the whole-of-government workspace and in escalating TOC as a national security threat (Marrin, 2009a; and Wardlaw and Boughton, 2006).

Whilst the role of policy has been explored in Chapter Six its relationship with strategic intelligence will now be analysed. The AFP's governance framework and reporting frequently highlight the requirement for their organisation to work in a '*whole-of-government*' environment (Howlett, 2009; and AFP, 2004, 2004a, 2007, 2008, 2008a, 2009, 2010 and 2011). What is less clear is how the conceptualisation of the TOC threat and risk is creatively addressed through broad integrated strategy. Probably more importantly for this study is how the strategic TOC intelligence effort is synchronised and synergised to the integrated policy process.

Interviews with intelligence respondents (006-027) indicated that the work of strategic intelligence was only broadly integrated with TOC policy work. At the formal level, senior intelligence management regularly meet to ensure that major policy processes have sufficient strategic input, usually in the form of commentary and preparation of supporting predictive intelligence reports (AFP, 2004, 2010b and 2010d). At the informal level, ongoing liaison between analysts and policy officers is undertaken to synergise efforts (Respondents 009 and 011). At first glance this process is consistent with the national security model for intelligence policy interaction (Fingar, 2011). Within the AFP case study there was comparatively limited integration of strategic TOC intelligence with strategy and policy development (Respondents 006-027 and 037-042). Policy respondents (037-041) indicated that detailed policy work is undertaken with much less frequency in the law enforcement environment than national security. Instead, much policy work and strategy setting is undertaken directly at the executive level, with supporting informal advice from operational areas (Respondents 001-006 and 037-042). One senior management respondent (003) stated '*policy and strategy within the AFP, on a day-to-day basis, is not integrated at the agency level*'.

Strategic intelligence within the AFP is superficially synchronised with the strategic decision-making and policy setting process. Analysis of corporate documents and interview responses revealed that strategic intelligence did not appear to be directly synergised with decision-making. Senior decision-makers (001-005) were unable to identify specific decisions in the policy space arising from strategic intelligence. This was consistent with responses from policy officers (037-042).

7.12 Implications and Recommendations in Intelligence Reports

The AFP's intelligence doctrine provides a detailed description of tactical, operational and strategic intelligence reports (AFP, 2010a). Within each of the report formats there is a requirement for the intelligence author to provide the client/reader with an assessment of the implications or recommendations of the report (2010a). The provision of implications and recommendations appears to break with the conventions and theories of intelligence studies (Davis, 2007; and Fingar, 2011). As highlighted in Chapter Two, the intelligence studies literature clearly articulates a consistent theoretical construct that intelligence should not cross into the provision of options or risk impacting on the independence of intelligence assessments (Lowenthal, 2012; and Fingar, 2011).

Tactical intelligence reports within the AFP provide clients with recommendations (AFP, 2010a). In law enforcement tactical intelligence is often a critical component of case-level decision-making and regularly used for evidentiary purposes in later prosecutions (AFP, 2010a; Carter and Carter, 2009; Viaene, De Hertogh and Maandag, 2009; and Ratcliffe 2008a). Given the nature of the decision-making client there is little surprise then that recommendations are provided. Often the aim of the recommendations is to assist decision-

makers to develop an understanding of the reliability of the intelligence (AFP, 2010a; and Laqueur, 2009).

The AFP's development of implications in strategic reports is focused on ensuring that clients understand the meaning of assessments (2010a). In the case of TOC, the AFP Intelligence capability provides a detailed description of implications to present an initial framework to address the Socratic question of '*what ought one to do*' (Respondents 006-027). AFP intelligence is seeking to provide the client with the intelligence to prime the decision-making process (AFP, 2010a and 2010d). This priming effect is achieved through reports with a dual focus on assessment of implications and context (Respondents 006-027). The effective contextualisation of an assessment within the wider organisational and whole-of-government operating environment allows for the development of holistic strategic decisions (Respondents 001-005; Fingar, 2011; and Walsh, 2012).

It could be argued that this construction places AFP intelligence processes within the policy domain (Fingar, 2011). ILP theory developed by Ratcliffe (2008a) would support this extension of responsibilities and possibly argue that it has not gone far enough to make the AFP a true ILP agency. In part this does not occur because the AFP governance framework for law enforcement decision-making adds a risk dimension to strategic decision-making (AFP, 2011a).

Traditional intelligence studies' luminaries, such as Davis (2007) and Lowenthal (2012), argue that the inclusion of recommendations and implications within intelligence reports is not appropriate. More specifically, Fingar (2011) argues that doing so reduces the independence of intelligence. Participant interviews in the AFP case study (Respondents 001-005) revealed that without the inclusion of recommendations and implications the policy and decision-making impacts of intelligence products on TOC would not be able to be clearly identified.

An analysis of the AFP's strategic intelligence reports for the calendar year 2011 revealed that the recommendations and implications provided in strategic TOC intelligence are substantially different than policy COA recommendations. Content analysis of these report recommendations indicate that they deal with contextualising the decision-making space for the client. Recommendations often call for the decision-maker to note that changes are occurring and that they consider specific risks and opportunities that may arise from this change. In addition, often the implications and recommendations deal with the allocation of additional intelligence resources.

Contemporary intelligence literature (Quarmby, 2009; Walsh, 2011; and Fingar 2011) reiterates the importance of direction within the intelligence process. If strategic TOC intelligence is to provide meaningful intelligence assessments on the implications of intelligence it is reasonable to expect that they would have a good understanding of the strategic client decision-making context (Fingar, 2011). The AFP case study indicates that

this is yet to be achieved as 80 per cent (16) of intelligence respondents (n=20) indicated that they did not understand the AFP's strategic decision-making context. This may go some way to explaining the ongoing problems with the client understanding of strategic TOC intelligence relevance as reported by senior management respondents (001-005).

Intelligence respondents (006-027) revealed that over 60 per cent (12) had not had any direct dealings with their senior clients within the last 12 months. Intelligence managers (007-009) stated that they had frequent contact with their next level of management and infrequent contact with the SLG. There are substantial organisational risks associated with relying upon organisational structure to support analysts developing a detailed understanding of client needs (Herman, 2007). While this approach avoids the problems often associated with intelligence being too closely associated with policy (Davis, 2003b) it subsequently runs the risk of not being close enough to policy and decision-makers to ensure that intelligence products have the greatest impact and influence on decision-makers (Hulnick, 2007).

The strategic TOC intelligence development process relies on the approval process to fine-tune recommendations and implications (AFP, 2010a). AFP intelligence doctrine outlines a clearance and approval process for intelligence products (2010a). The approval process involves intelligence middle managers reviewing products for content and analysis (Respondents 006-027; and AFP, 2010a). This framework could be viewed externally as a process for the homogenisation of analysis (Fingar, 2011). In practice analysts and managers alike provided feedback that the process was undertaken in a collegiate fashion (Respondents 006-027).

7.13 Conclusion

Chapter Seven has explored the AFP's application of strategic TOC intelligence through a detailed analysis of its corporate documents, organisational doctrine and intelligence reports as well as through data collected during semi-structured, in-depth qualitative interviews. The chapter provided a detailed analysis of the AFP's application of intelligence and its relationship with TOC decision-making. The chapter has also revealed that the strategic intelligence theories currently contained within the literature do not adequately deal with the complexities of strategic TOC intelligence and decision-making support.

The chapter has highlighted a number of findings that have substantive impacts on the development of a strategic intelligence framework; the most substantive of which is that the 3-I Model (Ratcliffe, 2008a) does not adequately address the challenge of strategic intelligence in law enforcement. The overarching finding is that the AFP's strategic TOC intelligence capability is increasingly crossing the theoretically constructed policy/intelligence barriers previously discussed in intelligence studies research (Fingar, 2011). The AFP's complex TOC operating environment, along with the unique challenges of law enforcement, do not support the wholesale adoption of national security or military

intelligence frameworks and subsequently support the further development of a law enforcement strategic TOC framework.

This chapter, supported by the previous chapter, has presented the research data from the AFP case study. The data analysis established the foundations for Chapter Eight's analysis and discussion of the research findings. Chapter Eight utilises this analysis to answer the primary research question and supporting sub-questions, and develop a strategic TOC intelligence conceptual framework.

Chapter 8
Discussion of Research Findings

8.1 Introduction

One of the most challenging dimensions of developing a robust intelligence theory—in law enforcement or elsewhere—is the absence of a universally accepted definition of intelligence (Gill, 2009; Hastedt and Skelly, 2009; Johnson, 2009; and Lowenthal, 2012). Kahn (2009) argues that the academic seeking to define intelligence shares theoretical challenges with the field of journalism. The field of journalism, like intelligence, experiences difficulties in developing a universally accepted definition of what '*news*' is; however, practitioners and users alike have the ability to recognise it when it appears (Kahn, 2009). Similarly, many law enforcement intelligence clients cannot accurately define intelligence, but are able to recognise its presence (Respondents 004 and 005; and Maguire and Tim, 2006). It could be argued that this indicatively describes a commodity that is either user- or contextually-defined or possibly both (Wooffitt, 2009).

As previously highlighted in Chapters Two (Literature Review) and Three (Methods), one of the challenging issues for this research was overcoming the conflicting uses and abuses of the term 'intelligence' in law enforcement (see also Verfaillie and Beken, 2008; and Viaene, De Hertogh and Maandag, 2009).

In developing the methodology and presenting findings within the case study chapters (Chapters Four to Seven) care was taken to avoid writing the thesis as a critique. In this context a critique is considered to be just an analysis of what corporate documents have or have not said or how well their points have been made (Wooffitt, 2009; and Yin, 2003). In contrast to the critique approach the primary objective of these case studies was to contribute to the further development of theoretical knowledge of law enforcement intelligence. The following chapter concentrates on moving beyond a report of personal responses and evaluations of source documents.

Chapter Eight will now use the case studies' findings and observations to directly address each of the research sub-questions (see Chapter Three). These findings will be used to construct a strategic intelligence conceptual framework for law enforcement.

8.2 Policing verses Law Enforcement

The research process revealed that the terms '*law enforcement*' and '*policing*' were used interchangeably within the literature and case studies. The Australian Crime Commission (ACC), the United Kingdom's (UK's) Serious Organised Crime Agency (SOCA), Criminal Intelligence Service Canada (CISC) and the Australian Federal Police (AFP) clearly identify themselves as law enforcement organisations within their corporate publications (ACC, 2011; SOCA, 2011; CISC, 2011; and AFP, 2011). It could be assumed this means their respective roles are related to the enforcement of laws rather than the policing or security of the community. However, each entity argues that their role involves the prevention and disruption of crime, as well as the investigation and enforcement of criminal law (ACC, 2011; SOCA, 2011; CISC, 2011; and AFP, 2011). These arguments suggest that each of these organisations' roles are, at least in some way, linked with the concept of police problem solving to achieve community safety. In contrast, the AFP's (2011), ACC's, (2011) CISC's (2011) and SOCA's (2011) performance measures are more akin to organisations that have an enforcement focus. This highlights the problems that these organisations experience with conflicting organisational directions and performance measures (Gimber, 2007).

This discussion of terminology, as well as its impacts, is an important factor in strategic decision-making within law enforcement and policing organisations (Harfield, MacVean, Grieve and Phillips, 2008). Subsequently, this complex terminology has similarly important impacts on strategic intelligence within law enforcement and policing organisations (Davis, 2007). Strategic intelligence support to organisations with strategies that extend beyond responsive law enforcement have a significantly increased breadth of focus (Harfield, MacVean, Grieve and Phillips, 2008). It could be argued that the focus of strategic intelligence moves from enforcement of a nation state's laws to the provision of human security when concerned with national-level policing rather than law enforcement (Sheptycki, 2009). Law enforcement and policing do have specific meanings for the scope of strategic intelligence support. Indicatively, to support senior decision-makers strategic intelligence in law enforcement should be focused on more than criminals and the criminal environment (Walsh, 2011; Quarmby 2009; and Sheptycki, 2009).

8.3 Current Strategic Criminal Intelligence Support to Decision-makers

Within law enforcement strategic intelligence has struggled to clearly define its role as a support function for decision-makers in preventing, detecting, disrupting and investigating TOC. Strategic intelligence clients (001-005 and 026-041) and intelligence staff (006-025) from the AFP case study consistently discussed this issue during interviews. Strategic intelligence has often been relegated by executives to the position of providing interesting papers (Verfaillie and Beken, 2008; and Respondents 001-005). Operations staff most often criticise strategic intelligence products for being too academic in tone and analysis (see also Quarmby, 2009; and Respondents 026-036). Further exploration of the terms *'academic'* and *'interesting'* revealed an unclear link between strategic TOC intelligence products and implications for decision-makers (see also Verfaillie and Beken, 2008; Quarmby, 2009; and Respondents 001-005 and 026-036).

Intelligence studies theory argues that there is a need for intelligence, at all levels, to be suitably distanced from policy and operational decision-makers (Davis, 2007; and Fingar, 2011). This theoretical framework has been established on a long history within national security of avoiding intelligence policy harmonisation (Matey, 2005; Lowenthal, 2012; and Kahn, 2009). This framework is premised on an argument that distance ensures competing views are developed (Davis, 2007). Within intelligence studies national and military intelligence clients have a long history of decision-making at the strategic level (Fingar, 2011; and Lowenthal, 2012). The military has an extensive cultural and organisational strategic management history to draw upon in addition to the evolution of the strategic corporal concept over the last ten years, (Liddy, 2005). AFP management indicated throughout the research that the same level of strategic awareness and maturity cannot be found within law enforcement (Respondents 001-005). Mitchell (2007; pp. 75-76) argues that recent changes in the '*managerial and operating context*' have forced police into the strategic decision-making space.

The AFP case study revealed that strategic intelligence doctrinally aspires to be action- or operationally-focused (AFP, 2010b). This phenomenon seems to be fairly stable across all of the case studies and is an important component of each agency's intelligence model. In contrast, the AFP's intelligence doctrine (2010b, p15) suggests that strategic intelligence is:

> *A product that influences high level decision-making and can be both informative and predictive. Strategic intelligence also provides a contextual framework for operational activities.*

This definition reveals two important extant provisions for any potential framework: '*informative*' and '*predicative*'. Chapter Seven highlighted that the AFP's senior leadership group (SLG) (Respondents 001-005) thought that strategic intelligence reports were often interesting and academic but not what they needed to support their endeavours and decision-making challenges. A comparative analysis of the various intelligence models (AFP, CISC, SOCA and ACC) found that strategic intelligence, at the national level, was often reduced to an informative role presenting information-rich products (Walsh, 2011). The scope of this phenomenon is increasing because of the demand for '*evidence-based intelligence*' (Mitchell, 2007, p54).

The introduction of concepts for the strategic management of the AFP's national law enforcement capabilities has been complicated by a number of factors (Respondents 003 and 005). The Australian Government's application of whole-of-government policy making has made all strategic work at the national level further complicated with a wider scope of considerations (Howlett, 2009). With this development has come an increasing requirement to work within interdepartmental frameworks (Hunt, 2005; and AFP, 2012). The AFP's work has dramatically changed over the last ten years (AFP, 2012; and Respondent, 004). Whilst led by Commissioner Michael Keelty the AFP sought to be '*central to government*' through performing a central role in contributing to policy development (Keelty, 2006; and Respondents 001, 012, 018 and 038). In more recent times the AFP has adopted a role of providing specialist law enforcement-specific contributions (AFP, 2011; and Respondents 003-004). Under both arrangements the AFP has had limited corporate experience to draw upon when working at this whole-of-government level (Hunt, 2005).

During the last ten years the policy cycle within successive Western governments has been drastically abbreviated, with shorter development and implementation periods (Howlett, 2009). In this context the increased speed of policy cycles has led to reduced time for the development of integrated strategic inputs—possibly aggravating existing challenges of integrating new and old policy (Hunt, 2005; and Carter and Carter, 2009). Along with the impacts of these environmental changes has been the widening of the scope of AFP activities (AFP, 2008 and 2012). The AFP's rapid evolution of central corporate priorities, from national law enforcement to counter-terrorism (CT), peacekeeping and counter people smuggling activities, serves as an excellent example of this strategic challenge (Keelty, 2006; and Respondent 005).

Policy professionals within the AFP consistently argue that their role in the policy space is different to that within other Commonwealth departments (Respondents 036-041). Policy staff indicated that their partners in other departments were actively involved in the development of policy and strategy (Respondents 036-039). In contrast, all of the AFP policy respondents reported that they were more focused on external engagement than strategy or policy development (Respondents 036-041). When this issue was raised 40 per cent (four) of AFP management respondents (n=10) posited that this was due, in part, to the AFP being an '*operational agency*'.

Doctrinally, strategic intelligence within the AFP is firmly focused on the dissemination of products to inform senior decision-makers (AFP, 2010b). Analysis of the other case study sites indicated that this observation is consistent across the ACC, CISC and SOCA. In practice, strategic intelligence appears to be somewhat different in nature to that which was presented in the AFP's doctrine (AFP, 2010a), theory (Davis, 2009; and Lowenthal, 2009) and intelligence models of each agency. Strategic intelligence, for the most part, has become increasingly information-rich and analysis-poor (see also Walsh, 2011; Laqueur 2009; and AFP, 2012b). A review of AFP strategic intelligence products from 2009-2011 (AFP, 2012b) identifies a strong information and knowledge management (KM) focus as defined by Dean and Gottschalk (2007). This trend of substituting information products for intelligence reports is consistent across each of the case studies.

Since 1999 the Australian national law enforcement community has been conducting the National Strategic Intelligence Course (NSIC) with the assistance of Charles Sturt University. The NSIC has been created to assist the development needs of Australian law enforcement. NSIC students are provided with practical knowledge of strategic intelligence, research methods, program management, data collection, analysis and intelligence. An assessment of the effectiveness of this program is out of the scope of this research; however, what can be said is that the program, like much intelligence training (Laqueur, 2012), focuses on the process of analysis but not the framework and methodologies of how this interacts with decision-makers and policy staff.

Intelligence staff (Respondents 006-026) suggested that when developing strategic TOC intelligence they concentrated their efforts on products that summarised key issues. Seventy per cent (14) of intelligence respondents (n=20) linked '*information*' and '*evidence-based analysis*' with the production of strategic intelligence (Dean and Gottschalk, 2007; Hughes and Jackson, 2007; and Mitchell, 2007). When questioned in further detail 80 per cent (16) of intelligence respondents (n=20) indicated that they were strictly limited in their analysis to what could be categorically proven by the data. But analysts (90%) consistently argued that there was seldom sufficient data available to adequately predict events and by the time this level of data was available an issue was already realised (Respondent 007). To address this AFP strategic intelligence has more recently adopted an unofficial model for intelligence support: the '*drip feed model*' (Respondent 012). In this model strategic intelligence concentrates the majority of its resources on producing information products and '*drip feeding*' predictive strategic intelligence products to their executive clients (Respondent 012). The SLG (Respondents, 001-005), citing prevailing practitioner feedback, indicated that the '*drip fed*' products receive the most positive comments. These reports tend to provide the client with predictive future-focused content that clearly identifies the implications and decisions for the client (Respondent 012).

8.4 Analysis of the Effectiveness of Strategic Criminal Intelligence Support to Law Enforcement Decision-makers

The research results revealed that the current strategic TOC intelligence efforts, at least within the AFP, are not meeting the forward planning or policy needs of contemporary law enforcement organisations (see also Carter and Carter, 2009; and Respondents 001-005). Analysis of the key themes within the research results indicate that part of the organisational challenge of delineating operational, policy and strategic intelligence decision-support elements is that currently there is often very little difference between them (Dean and Gottschalk, 2007; and Respondents 001-005). All of the AFP's SLG (Respondents 001-005) argued that there is a great deal of homogenisation and harmonisation of strategic decision-making inputs.

Strategic Intelligence Reports (SIRs) produced in each of the case study sites were informative and interesting but often have limited direct utility to decision-makers in preventing, disrupting and investigating TOC (see also Walsh, 2011). Strategic TOC intelligence reports' informative perspectives are not without utility (Dean and Gottschalk, 2007). The research indicates that strategic intelligence needs to be client-focused, decision-orientated, and offer something alternative to other forms of decision-support inputs to remain relevant to TOC decision-making. This point is well supported by contemporary intelligence luminaries such as Fingar (2011), Walsh (2011) and Gill (2009).

Policy (Respondents 036-041) and executive decision-makers (Respondents 001-005) consistently provided descriptions of the complexity of their TOC work environment. In describing this complexity respondents provided comments regarding the difficulty experienced in understanding the overarching strategic policy options and their interface with competing priorities (Mitchell, 2007; and Respondents 001-005 and 036-041). One operations respondent (032) specifically argued that the AFP is focused on '*locking up crooks*' and strategic intelligence that does not contribute to this is '*redundant*'. The comment is indicative of the misunderstanding of how strategic intelligence contributes to organisational outcomes and outputs for law enforcement (see also Carter and Carter, 2009). When this response was discussed with intelligence staff (Respondents 006-026), they consistently advised that this kind of argument did not address the issues of complexity nor the overarching strategic decisions required within a contemporary national-level organisation (Casey, 2007). It would appear that the colloquial response to this would be that '*strategic intelligence ensures the right crooks are arrested in the right order to achieve the most effective and efficient use of resources*' (Respondent 018). In other words, strategic intelligence assists in achieving the best possible outcome, with limited resources and more crime is reported than is possible to respond to (Carter and Carter, 2009).

The AFP's strategic intelligence capability is effective at responding to the information and crime analysis needs of its clients (Respondents 001-005 and 036-041). The effectiveness of this support, from client feedback (Respondents 001-005 and 036-041), in reducing uncertainty in decision-making is far less tangible. The comments relating to products being *'interesting'* or *'academic'* (Respondents 003, 004 and 005) are indicative of their informative nature (Davis, 2007).

Analysis of each agencies' (ACC, SOCA, CISC and the AFP) publicly available strategic intelligence reports failed to identify any content that could be used to directly support specific decision-making, policy setting or strategy implementation. Respondents in the AFP case study (001-046) were asked to discuss their strategic TOC intelligence needs. Seventy per cent of respondents (32) answered this line of inquiry with discussions surrounding the complexity of TOC and the need for strategic intelligence to provide and contextualise the key issues. External public policy respondents (041-046) discussed the need for strategic intelligence to support policy and strategy development by isolating, describing and contextualising key issues. One respondent (043) simplified the issue by explaining that: '*by knowing what the problem is, and how it may be impacted upon, policy staff can identify which lever or levers can be pulled to address this issue'*.

AFP senior management were broader in their description of intelligence needs, turning instead to their experience as investigators (Respondents 001-005). Intelligence, in a number of these interviews, was described as an information service (Respondents 001 and 003-005). One respondent (003) highlighted this with the example that intelligence was responsible for '*knowing what flight a criminal is on, and what time it will arrive*'. Even the broadest of intelligence definitions would indicate that this is information rather than intelligence (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011).

8.5 Comparative Analysis of Law Enforcement Strategic Intelligence and Contemporary Intelligence Models and Theories

This body of research has proven that the intelligence approaches of the AFP, ACC, CISC and SOCA diverge from contemporary intelligence models (see also Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011), ILP (Ratcliffe, 2008c) and their supporting theories (Verfaillie and Beken, 2008; Treverton, 2002; Rogers, 2009; Ratcliffe, 2008c; Maguire, 1999; Maguire and Tim, 2006; and McDowell, 2009). Before examining this divergence between models and practice, it is appropriate to again recognise that contemporary models of law enforcement intelligence (as discussed within Chapter Two) are generally underpinned by either ILP (Ratcliffe, 2008c) or intelligence studies theories (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011). ILP and intelligence studies theories have been developed in very different operating contexts than that experienced by agencies such as the AFP, ACC, SOCA and CISC.

A review of CISC (2011), SOCA (2011), the ACC (2011) and the AFP (2010b) intelligence doctrines and methodologies has reinforced the importance of the intelligence cycle in understanding the complexity of the intelligence process. Whilst there are variations in each agency's application of the intelligence cycle they all align, to varying degrees, with the contemporary intelligence cycle models used in academia (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar, 2011). Interviews with AFP intelligence staff (Respondents 006-026) identified that the intelligence cycle remains important to strategic intelligence. The intelligence cycle is still only a simplified model, used to develop understanding of the far more complex and flexibly applied intelligence practices (see also Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar, 2011). All the intelligence respondents (Respondents 006-026) indicated an acceptance of the model, but that its principles are loosely applied in practice and that there is a willingness to abbreviate the process when required due to time constraints.

Ratcliffe's 3-I Model (2003 and 2008a) offers analysts the opportunity to conceptually understand their role within an ILP environment. Whilst the validity of ILP has been widely accepted the same cannot be said for the 3-I Model (Carter and Carter, 2009 and Ratcliffe, 2008a, and 2008b). The case studies indicated to varying degrees that the 3-I Model (Ratcliffe, 2008a) may:

- overstate, especially at the strategic level, the relationship between analyst and decision-maker (Davis, 2007);
- oversimplify the intent of the decision-making process (Mitchell, 2007); and
- underplay the focal point of analysis (Laqueur, 2009).

The 3-I Model promotes the current trend of law enforcement strategic intelligence focusing on information and criminal information analysis (Carter and Carter, 2009; Ratcliffe, 2008a and 2008b; and Dean and Gottschalk, 2007). This focus in the CISC, SOCA, ACC and AFP case studies limits the production of predictive or anticipative intelligence that theorises the concepts of opportunities and risk (Quarmby, 2009). It could be argued that these shortfalls, or divergences, between the case studies and the model are necessary (Ratcliffe, 2008a and 2008b). More specifically, this perspective argues that to be useful the 3-I Model (Ratcliffe, 2008a) must be simplified (Barzun and Graff, 2004). Fingar (2011) and Kahn (2009) reject such arguments as the oversimplification does not engage with the complexity of the post-modern decision-maker's needs or the reality of contemporary strategic intelligence.

During the AFP case study neither interviews nor document analysis revealed any reference to Ratcliffe's 3-I Model (2008a). During interviews with intelligence professionals (Respondents 006-026) questions about the theoretical relationship between strategic intelligence, the environment and the decision-maker were explored. Many junior staff (80% = 5) were unable to provide a detailed description of their relationship with, and role in the support of, decision-makers. This presents as evidence of a limited understanding of the role of intelligence in influencing strategic decision-making (Fingar, 2011; and George and Bruce, 2008).

Sixty per cent (12) of intelligence respondents (n=20) argued that their role did not involve influencing decision-makers. There appeared to be some similarity in approach between law enforcement intelligence and intelligence studies' methodology with regards to the relationship with decision-makers (Davis, 2007). AFP intelligence respondents (Respondents 006-026) consistently contended that their role was not to make recommendations, but to provide the decision-maker with the information from which they would be able to draw conclusions themselves.

However, AFP intelligence doctrine (2010b) argues that strategic intelligence reports should contain a section that clearly articulates the implications of analysis for clients. Intelligence managers (Respondents 006-008) consistently revealed that the use of implications in reports had been particularly problematic. The provision of implications involves a highly complex analytical capability that requires intelligence analysts to possess knowledge of the threat and the organisational decision-making context (Fingar, 2011; and Respondents 036-041). In practice the implications section within strategic intelligence reports most often contained a simplified statement of why an issue was important to the AFP (AFP, 2012b). Senior intelligence clients (Respondents 001-003) specified that they would prefer this section to outline the specific decisions or considerations that need to be made.

There is some difference and divergence from the 3-I Model (Ratcliffe, 2008a) when strategic intelligence is practically applied in law enforcement—especially regarding the influencing of decision-makers (Carter and Carter, 2009). AFP intelligence doctrine (2010b) suggests that strategic intelligence products can be informative or predictive. This statement of purpose falls short of the '*influence decision-making*' descriptor used within the 3-I Model (Ratcliffe, 2008a, and 2008b).

Eighty per cent (16) of intelligence respondents (n=20, 006-026) indicated that their products were more often informative in nature and underpinned by the application of information analysis techniques. Operational decision-makers (Respondents 027-038) from the AFP case study indicated a demand for information, as opposed to assessment. In comparison, senior managers (Respondents 001-005) often stated that their intelligence interests were in products that predicted problems before they arose and clearly indicated what the implications of these developments were for them. This was often highlighted in the form of responses concerned with the identification of risks and opportunities within law enforcement (Respondents 001-005).

Analysis of the ACC, CISC, SOCA and AFP case studies supports the research finding that information, intelligence and crime analysis are being used to inform, as opposed to influence, decision-making in national-level law enforcement (see also Carter and Carter, 2009; and Fingar, 2011). The major intelligence reports produced by each of these entities are estimative in nature and focused on the provision of qualitative and quantitative data (George and Bruce, 2008). Analysis of each agency's intelligence models and products indicated that these documents describe, rather than interpret, the criminal environment. Furthermore, more often than not these agency's strategic intelligence reports provide information rather than intelligence in an intelligence studies sense (Lowenthal, 2012).

The ACC, CISC and SOCA case studies reinforced the detailed observations of the AFP case study with regards to the focus on describing the criminal environment. The ACC's Organised Crime Threat Assessment (OCTA) (ACC, 2008d, 2009d and 2010d) and Illicit Drug Report (IDR) (ACC, 2008e, 2009e, and 2010e) specifically highlight these observations. The IDR describes the illicit drug market from a seizure perspective and does not highlight nor interpret what action could be undertaken to impact upon this market (ACC, 2008e, 2009e, and 2010e).

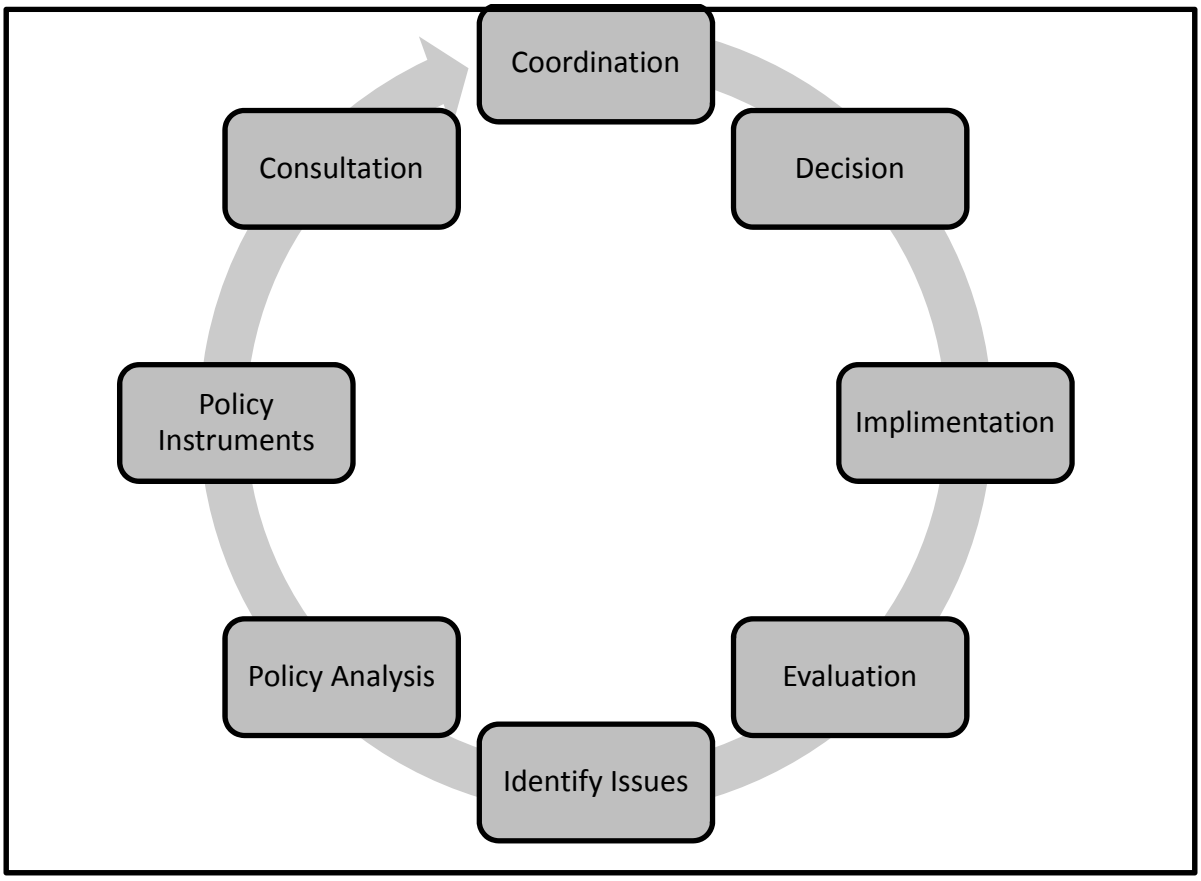
It could be argued that the difference between 'interpret' and 'describe' are a matter of semantics. A review of the 3-I Model clearly indicates that Ratcliffe (2008a and 2008b) argues that within ILP the role of intelligence is more than the presentation of descriptive information. Ratcliffe (2008a and 2008b) argues that intelligence is a transformative process starting with information that is used to influence action that results in impact.

The AFP (2010b) has approached the issue of environmental scanning from an alternative theoretical intelligence perspective than that adopted within CISC, SOCA and the ACC. CSIC (2008a and 2009a), SOCA (2008a, 2010c. and 2011a) and the ACC (2008d, 2008e, 2009d and 2009e) have employed an underlying intelligence epistemology similar to that of national security intelligence agencies (Davis, 2007) and the field of intelligence studies (Carter and Carter, 2009; and Lowenthal, 2012). This epistemological position argues the importance of the nation state construct, as well as the dogmatic separation of policy and intelligence (Sheptycki, 2009). The strategic intelligence products and services adopted by these agencies have focused on mirroring current and emerging national security intelligence trends (Carter and Carter, 2009; and Fingar 2011). Subsequently, the use of estimative intelligence, indicators and warning methodologies have become the norm (Walsh, 2011). In adopting these approaches CISC, SOCA and the ACC have not had the same extensive variety of intelligence sensors or analytical capability as present in national security applications to fully realise the benefits of these methodologies (George and Bruce, 2008).

The AFP case study indicated that strategic intelligence in law enforcement could be more innovative than simply adopting national security methodologies in developing its doctrine and theories (Sheptycki, 2009). The case studies revealed that the production of long-form estimative intelligence has a large resource impost (Respondents 006-026). The return of investment of such products, especially with regards to specific decisions, has been particularly difficult to establish (Respondents 001-005). The AFP case study offered an alternative strategic intelligence model (2010b). Whilst the AFP's intelligence model (2010b) is dually focused on providing informative and predictive strategic intelligence, in practice its model is somewhat different. Rather than offering a model that focuses on adversarial intelligence, it has more recently begun to adopt a risk and opportunity framework (Fingar, 2011; and Sheptycki, 2009). This framework seeks to scan the environment to provide its clients with an assessment of the risks and opportunities available (Fingar, 2011; and Respondents 006-016). This change has been of particular relevance and value to decision-makers (Laqueur, 2009; and Respondents 001-005). This approach fits well with the realities of law enforcement's limited strategic intelligence capability, less defined policy cycle and absence of strategic direction and priorities.

Further analysis of the case studies and feedback from AFP intelligence staff (Respondents 006-026) indicates that within law enforcement—especially at the strategic level—there is a distinct absence of direction for the intelligence process (Walsh, 2011; and Rogers, 2009). Instead, a general list of crime-type priorities may be provided, as is the case for the AFP with its Ministerial direction (O'Conner, 2010). In discussing this issue with SLG respondents (001-005) feedback indicated that this is related to the nature of police management and the crime environment. The focus of these respondents (001-005) regarding strategic intelligence was uniformly the identification of risks and opportunities. One senior manager (004) indicated that at present there were more than enough referrals about targets, but what was needed in the AFP was an '*answer to the question of which targets are best*'. Another senior respondent (002) indicated that there was an emerging need for strategic intelligence in law enforcement to identify those areas where further or future capability development is required.

Figure 8.1 — Australian Policy Cycle
(Source: Bridgeman and Davis, 2005)



AFP Policy (036-041) and SLG respondents (001-005) implied that the principles of the Australian policy process (Figure 8.1) remain relevant for all law enforcement as an abstract model. Bridgeman and Davis (2005) argue that similar policy processes operate within most Western liberal democracies. Contemporary public policy theories argue that intelligence provides important inputs for policy analysis, identification of issues and evaluation phases of the national policy process (Fingar, 2011; and Davis, 2007).

Contemporary intelligence studies (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar, 2011) argue that the intelligence cycle (Figure 8.2) is still relevant for coordinating strategic intelligence support with the current policy cycles. This support is caveated by the demand for a clear theoretical distancing between the intelligence and policy process (see also Davis, 2007; and Fingar, 2011). Each of the case studies utilised a fairly consistent version of the intelligence cycle within their intelligence model. The focus of the direction phase was consistently revealed to be general in nature with estimative and information products being the normal component of dissemination, as opposed to being a specific issue for identification by decision-makers.

Figure 8.2 — The Intelligence Cycle
(Source: Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011)

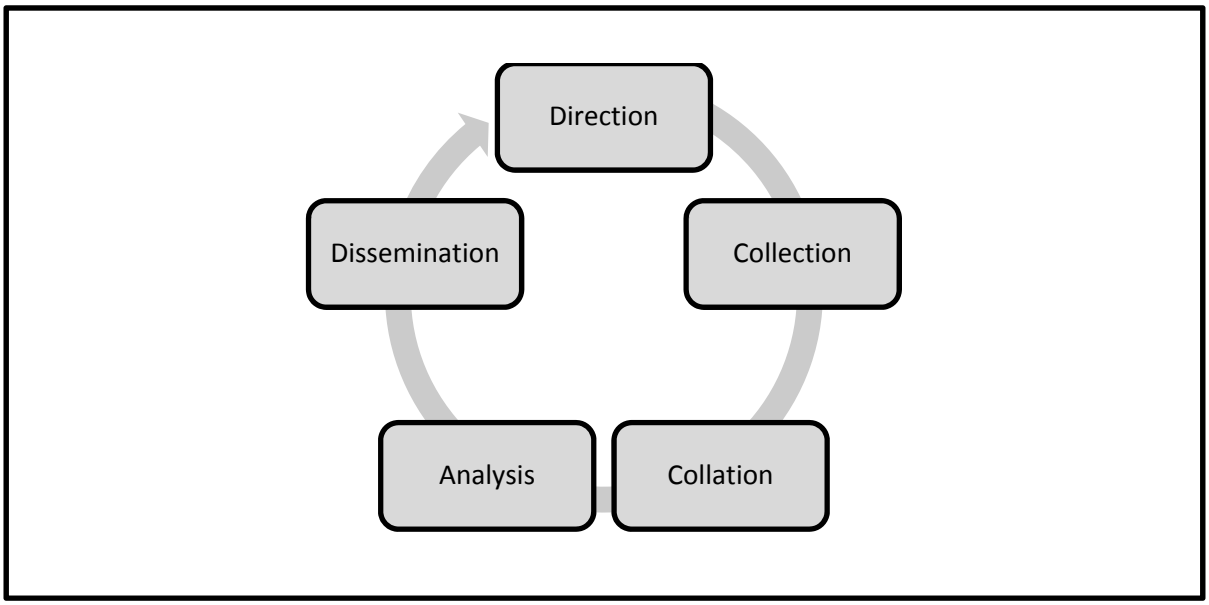


Figure 8.3 provides a diagrammatic representation of the theoretical framework for the current strategic intelligence–policy interface as discussed within contemporary intelligence studies literature (Fingar, 2011; and Davis, 2007). As illustrated, there are two-way flows of information between decision-makers and intelligence, as well as decision-makers and policy (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar, 2011). The output of this intelligence process is strategic intelligence reporting aimed at being informative and estimative of problems and emerging issues (Fingar, 2011). These same reports are then disseminated to policy (Dupont, 2003). Policy uses strategic intelligence to support their identification of issues and to sustain, where necessary, the information needs of the various phases of the policy cycle (Bridgeman and Davis, 2000). This flow of '*intelligence*' (the product) and '*information*' between intelligence (the business unit) and policy is one-directional in nature (Flood and Gaspar, 2009). In the case of interaction between policy and decision-makers the flow of information is more a multi-directional flow (Bridgeman and Davis, 2005). This interaction between policy and decision-makers continues throughout the policy cycle.

Figure 8.3 — Theoretical model for the conventional strategic intelligence policy interface (Source: See Also Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; Fingar 2011 and Bridgeman and Davis, 2005)

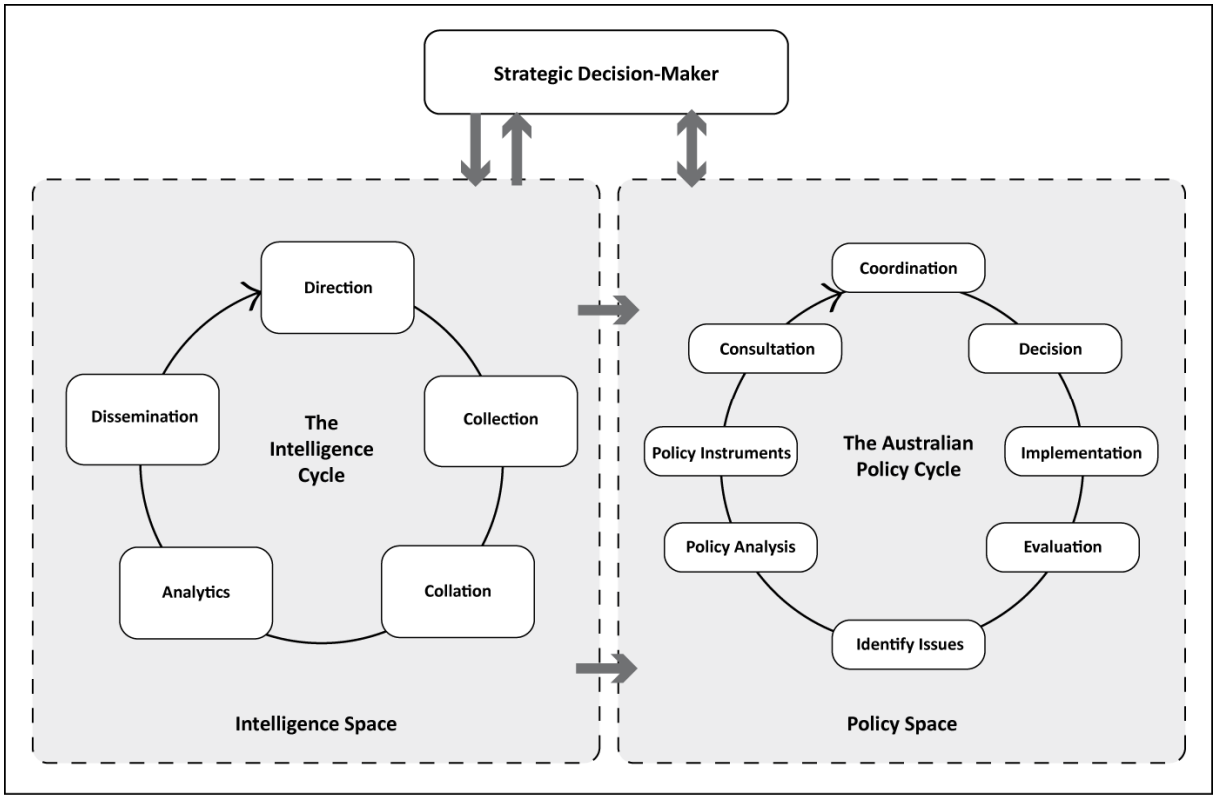
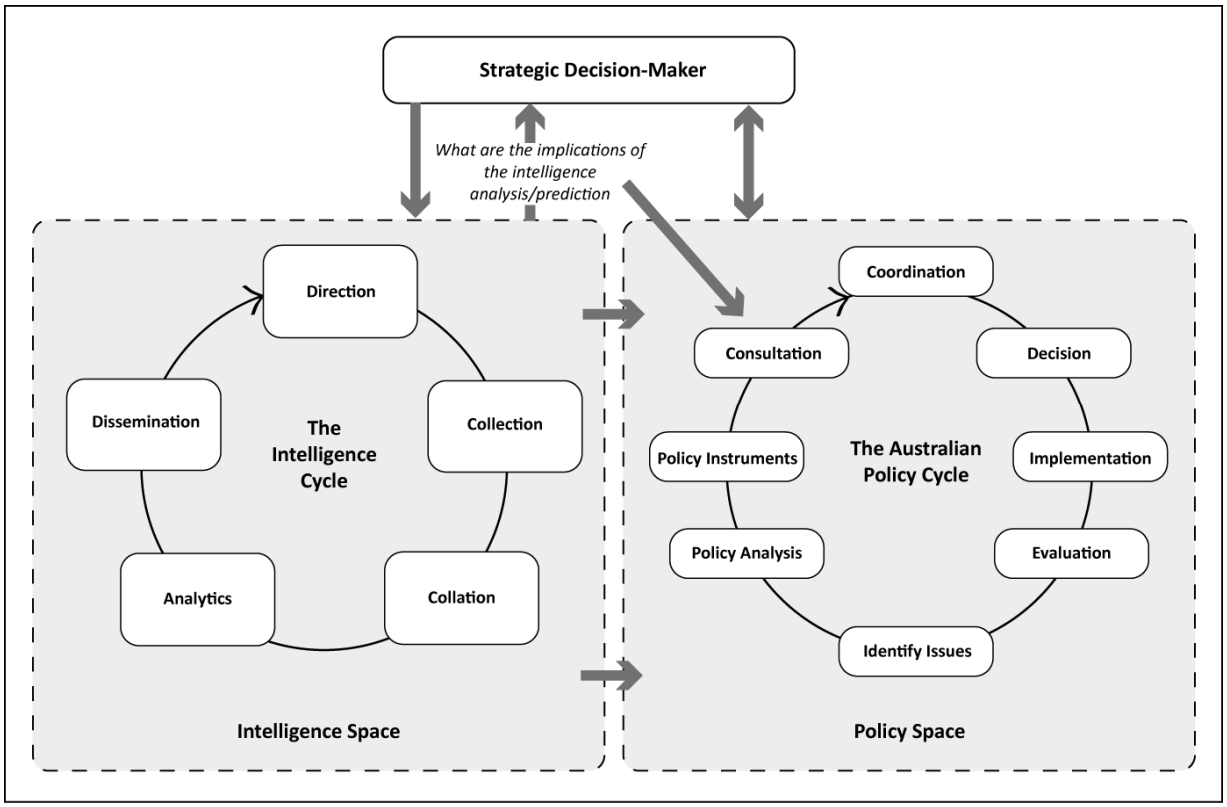


Figure 8.4 graphically represents the research findings of the difference between the AFP framework and that normally found within intelligence studies. For law enforcement the two-way flow of information between decision-makers and intelligence, as well as decision-makers and policy, is far more simplified than what would be found within intelligence studies applications (Cavelty and Mauer, 2009; and Mitchell, 2007). In law enforcement's application of this model direction—in the sense of priorities—is provided to drive the strategic intelligence process.

Figure 8.4 — Theoretical model for the AFP strategic intelligence policy interface at law enforcement organisational level
(Source: See Also Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; Fingar 2011; and Bridgeman and Davis, 2005)



The AFP's framework for the policy–intelligence–decision-maker interface is in practice somewhat different to the traditional, intelligence studies' conception (Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011). The underpinning driver for this difference is ILP (Cope, 2004). As an operationally-focused agency the AFP has more recently focused its strategic intelligence on identifying the implications of its analysis (AFP, 2010b and 2012b; and Respondent 016). This implications focus elongates the intelligence process into what would be, under more traditional models, considered the policy work space (see also Bridgeman and Davis, 2005; Cavelty and Mauer, 2009; Davis, 2009; Dupont, 2003; and Fingar 2011).

AFP intelligence respondents (006-026) consistently argued that the generation and publication of implications allowed them to specifically highlight the policy, or strategy, question arising from their analysis. Seventy-five per cent (16) of these respondents stated that the concept of implications was a process of framing the policy or strategy question, but did not represent a large step into the policy space (Bridgeman and Davis, 2005). AFP Policy unit respondents (036-041) claimed that intelligence's provision of implications did not represent any specific element of the policy process, as they were still required to undertake an independent analysis of issues that included a wider subset of considerations. SLG decision-makers (001-005) maintained that the implications were aimed at providing decision-makers with context of the intelligence report and the possible questions resulting from analysis. These same respondents (001-005) maintained that this was a valuable aid when strategic analysts were able to identify high-level complex implications as opposed to simplistic operational considerations (Quarmby, 2009). Ratcliffe's (2008a and 2008b) ILP theory would be supportive of the implication approach, but would encourage it to be applied further to '*influence*' the decision-maker. Fingar's (2011) and Sparrow's (2008) experience indicates the importance of '*understanding*' intelligence and information in senior government decision-making.

8.6 Differentiating Strategic Intelligence, Policy and Police Decision-support

Developing a robust understanding of the differences between intelligence, policy and police inputs to strategic decision-making is comparatively more difficult than developing definitions for each (Sheptycki, 2009). Within the AFP case study management respondents (001-005, 013, 027, and 036) indicated that often it was difficult to group decision-support material into distinct categories such as intelligence, policing or policy inputs. These same respondents (001-005, 013, 027, and 036) reasoned that the categorisation of decision-support material was only possible with reference to the reporting format or originating business function. Dean and Gottschalk's (2007) work makes the case that all intelligence, policing or policy inputs fall within the category of information and KM. Davis' (2007) and Kahn's (2009) intelligence studies' theories argue that this is indicative of problems with the focus of the analytical content and underpinning intelligence theory.

AFP case study respondents (001-005, 013, 027, and 036) discussed how the similarities in the nature of the intelligence, policing or policy outputs often contributed to a high level of internal competition between business functions (Hughes and Jackson, 2007). Policy, police and intelligence respondents (006-041) confirmed that there was an element of competition between the decision inputs (see also Hughes and Jackson, 2007). Overwhelmingly (90%=22), policy and intelligence staff (Respondents 006-026 and 036-041) within the respondent sample recounted that operational policy was more readily accepted by strategic decision-makers than other categories of decision-support material. These observations are consistent with Hughes and Jackson's (2007) findings and theories relating to the value of information and its influence in law enforcement.

AFP case study participants (001-41) emphasised the organisational value attributed to operational (policing) reports by senior decision-makers. Policy (036-41) and intelligence respondents (006-026) recalled incidents of competition between intelligence and operations, with intelligence staff responses often indicating a degree of resentment towards operational reporting (Carter and Carter, 2009). Intelligence and policy respondents (006-026 and 037-041) alike revealed that operational reports were case-specific in nature and as such were not contextualised. Respondents 002 and 004 also argued that operational reports often did not highlight strategic implications. These findings again reinforce Hughes and Jackson's (2007) theories relating to the law enforcement information economy. More importantly, these observations are consistent with Ratcliffe's (2008a and 2008b) underpinning drivers for ILP.

The case studies of CISC, SOCA, the ACC and AFP revealed that police operational reporting inputs to senior law enforcement decision-making were characteristically akin to information and KM process outputs (Dean and Gottschalk, 2007). Similarly, a review of the annual reports for each of the case study sites provided evidence that operational reporting was more clearly aligned to corporate performance and performance reporting than the intelligence and policy products (see also Cope, 2004). AFP SLG research participants (001-005) reported a range of rationales for this alignment, the most consistent of which was that law enforcement was about '*banging up crooks*' (Respondents 002 and 005). When queried further, respondents 002 and 005 drew some parallels with previous academic observations about the maturity of strategic decision-making in law enforcement (see also Casey, 2007; and Edwards and Gill, 2007). This observation was illustrated by one manager (002) who stated *'as a manager in law enforcement, what mattered most, are lock-ups and seizures'*.

The ACC, CISC, SOCA and AFP case studies revealed that the operational nature of law enforcement drives a focus on quantitative, process-related performance measures. More specifically there is a focus on measures such as arrests, as opposed to impacts on criminal environments. Drake and Simper (2001) and Gimber (2007) each sought to theorise on police performance management based on similar observations. Any theory of strategic intelligence cannot ignore the importance of qualitative measures and the paradox of the limited capacity to measure law enforcement impact (Gimber, 2007).

Policing inputs to law enforcement decision-making are overwhelmingly tactically-focused (Chadee, 2006; Collier, 2006; and Collier, Edwards and Shaw, 2004). These tactical inputs, when drawn together for strategic decision-makers, are more often than not linked directly with commentary on implications for extant performance measures (Collier, Edwards and Shaw, 2004). Thus police reporting on cocaine importations to Australia would be limited to the information collected from police indices and a limited number of covert sensors. The value-added component in such support material is then directly related to extant performance measures, as understood at the operational and tactical levels. This kind of reporting is subsequently focused on offenders and seizures, or mechanisms to increase seizures and arrests. In contrast with policy and intelligence decision inputs, operational reporting tends to be related to evidence, evidentiary processes and jurisdictional limitations (Carter and Carter, 2009). Respondents from operational areas (026-037) specified that the major component of their reporting is concerned with what has occurred as they know it and what investigators will do next. Fasihuddin and Dean (2009) made similar observations when examining *'Knowledge-Based Poppy Cultivation Control in Pakistan'.* Whilst advocating KM, Fasihuddin and Dean (2010) found similar limitations in tactical and operational reporting.

AFP corporate documents and respondents (001-041) indicated that policy units within law enforcement have dual roles. On a day-to-day basis the AFP Policy unit is focused on the coordination of policy inputs for internal and external forums (AFP, 2010c; and Respondents 037-041). One respondent (038) described their role as strategic harmonisation, whereby divergent operational perspectives were harmonised into consolidated responses to external and internal policy questions. ILP literature (see also Carter and Carter 2009; Flood and Gasper, 2009; and Ratcliffe, 2008a and 2008b) chooses to focus on decision-making, without reference or consideration to '*policy*'. In contrast, intelligence studies (Fingar, 2011; Kahn, 2009; and Davis, 2007) consistently deal with the importance of policy to decision-making, strategy setting and intelligence.

The second component of the policy role is concerned with course of action (COA) development (Davis, 2007; Fingar, 2011; and Bridgeman and Davis, 2000). This role is infrequently performed by policy and in practice appears to be more akin to a process of harmonisation of operational inputs (Respondents 037-041). The process involves environmental contextualisation and SWOT (strengths, weaknesses, opportunities and threats) analysis models of COA development (Bridgeman and Davis, 2005). Qualitative interview data indicated that the process of policy development within the AFP was somewhat divergent from the theoretical model provided (Respondents 037-041). One policy manager (039) indicated that the policy process model was aspirational, with the reality being a '*pragmatic iterative process*'. Ratcliffe has argued for a decision-making role for intelligence, where COA is a process of responding to intelligence (Ratcliffe, 2008a and 2008b). This research, supported by the intelligence studies literature and theories (Carter

and Carter, 2009; Flood and Gasper, 2009; p61 and Ratcliffe, 2008a and 2008b), argues against such an oversimplification.

Within the AFP case study the policy input into strategic TOC decision-making is concerned with contextualising an issue within the broader environment (AFP, 2010b; and Respondents 037-041). The output of this process is the contextualisation of an issue so that it can be prioritised and a response strategy developed (Bridgeman and Davis, 2005 and AFP, 2010c). This iterative process is often focused upon harmonisation of organisational views through extensive consultation (Respondents 037-041). It is important to acknowledge that none of the case studies clearly articulated the role of policy in strategic decision-making. The AFP case study revealed the difficulties policy experienced in effectively contextualising issues in a holistic or strategic perspective (Respondents 001-005 and 037-041). One executive respondent (002) described the policy process as dealing with individual problems, rather than the process of undertaking holistic strategy development. Carter and Carter (2009) have argued that policy development as a process within law enforcement is problem-orientated. These observations do not support the current ILP theoretical conceptualisation of contemporary law enforcement decision-making.

The research indicated that policy, as a business unit, is concerned with much more than the criminal environment (AFP, 2010b). More specifically, policy is concerned with providing support within a comparatively wider context than operational reporting (Bridgeman and Davis, 2005). Policy professionals consider the criminal environment that law enforcement can influence, as well as the wider area that can potentially impact on this construct (Respondents 037-041). A secondary aim of this decision-support input is the identification and realisation of organisational synergies (Christensen and Laedreid, 2007).

It is important to recognise that often it was difficult for strategic intelligence clients to specifically identify the differences between decision-support materials (Respondents 001-005). A number of senior managers (002 and 004-005) within the AFP case study consistently indicated a close association between strategic intelligence and policy inputs. A review of the relevant intelligence doctrines of each case study site failed to identify any particular reference to the delineation between policy and intelligence. This may reflect an issue with intelligence product differentiation or harmonisation (Davis, 2007).

Academic literature from the field of intelligence studies has consistently argued the need for a strong separation between policy and intelligence (Cavelty and Mauer, 2009; Davis, 2007 and 2009; Dupont, 2003; Lowenthal, 2012; and Fingar, 2011). The rationale for this argument was the potential risk of harmonisation of intelligence and policy (Fingar, 2011). Within the AFP case study there was strong evidence of the impact of national security intelligence doctrine on its strategic intelligence model (Wardlaw and Boughton, 2006; and AFP, 2010a). Comparatively, Ratcliff's 3-I Model (2008a) for ILP has argued for intelligence to transition from a supporting to an influencing or driving role in law enforcement (Carter and Carter, 2009). This has resulted in the obfuscation of the true nature of both intelligence and policy in the law enforcement environment—especially that which is targeting TOC (Cope, 2004). In practice, law enforcement strategic TOC intelligence may be located somewhere along a spectrum between the 3-I Model (Ratcliffe, 2008) and intelligence studies (Fingar 2011).

AFP policy staff (037-041) argued that strategic intelligence had an informative role in the policy development cycle. Analysis of the predominate policy models indicated a potential opportunity for strategic intelligence in the law enforcement environment to contribute to at least two phases of the policy cycle: identification of issues and policy analysis (Christensen and Laedreid, 2007; and Bridgeman and Davis, 2005). In practice, however, the AFP case study revealed that strategic intelligence products are primarily focused on identifying policy issues for senior clients (AFP, 2010a). Interestingly, the AFP's strategic intelligence reports (AFP, 2010a and 2012b) communicate the implications of the reporting to decision-makers. This articulation of intelligence implications often serves as the first phase of the strategic policy cycle when an issue is initiated or sponsored by a member of the SLG (Respondents 037-041).

A number of intelligence respondents (016, 019, 021, and 022) in the AFP case study indicated that the difference between intelligence, police and policy inputs is far more fundamental. One respondent (016) specifically highlighted that the difference between the inputs was related to the degree of certainty and the focus of information. Within this conceptual framework police input into strategic decision-making was evidenced-based (Mitchell, 2007). In contrast, policy was focused on the decision component of higher-level resource allocation (Bridgeman and Davis, 2000). Policy decision-support was focused on identifying the problem and the available levers to influence it (Christensen and Laedreid, 2007). In comparison, strategic intelligence was, by its nature, future-focused (Quarmby, 2009; and Fingar, 2011). But in being focused in this way, strategic intelligence was substantively different than policy and policing decision-support (Cope, 2004). To move beyond describing TOC in an information sense, intelligence extrapolates the implications beyond the data, providing clients with an assessment to understand the threat and risk (Fingar, 2011). In this construct strategic intelligence is future-focused in comparison to policy or police decision-support inputs (Walsh, 2011).

Ratcliffe's 3-I Model (2008a) of ILP argues that law enforcement intelligence's focus should be on the criminal environment. Interviews with police (001-005 and 026-037) indicated that their operational reporting is primarily focused on examining criminals and their current activities, with a specific focus on their investigation and prosecution within one or more jurisdictions. The area of interest for police strategic reporting is limited to evidence related to an offender and/or offence, with a focus on obtaining resources from decision-makers (Hughes and Jackson, 2007). The area of influence of strategic decision-making within this construct is limited to a tactical scope. In comparison, the policy space has a wider area of interest and influence. At this level the policy output is focused on understanding the wider policy context and the likelihood of achieving further synergistic policy at the whole-of-government level (Christensen and Laedreid, 2007).

Strategic intelligence, in contrast to policy and police decision-support inputs, has a forward focus with an even wider area of interest (Fingar, 2011; and Walsh, 2012). Analysis of qualitative interviews with policy and senior leadership respondents revealed that strategic intelligence should adopt a perspective that law enforcement's area of influence is substantially larger than that conceived by operational police officers (see also Quarmby, 2009). The area of influence that strategic intelligence is seeking to address is a much wider context that includes areas where the AFP, the whole-of-government, other bilateral and multilateral groups, organisations and individuals have the ability to impact upon (AFP, 2012a). This widened conceptualisation of the area of influence also extends the area of interest for the AFP thematically and geographically.

The AFP strategic intelligence capability extends its scanning specifically to look at and understand a range of complex problems across an equally diverse range of subject matter areas (Respondents 006-026). This extension relates to a desire for intelligence to answer as many interrogative questions (who, what, where, why and how) for a strategic decision-maker as they can (AFP, 2010a). The observations are strongly supported by Kahn (2009) and Davis' (2007) theories on the application of intelligence at a national level. ILP theory does not offer a sufficient understanding of this complex decision-making context (Ratcliffe, 2008a).

One AFP strategic intelligence respondent (021) described the scope of this work in the sense of being required to reduce the complexity faced by a decision-maker. In this description the key informant (021) argued that this was not a process of simplification, but a scientific process. This process involves systematically developing an understanding of the interplay of causal factors that extend beyond the traditional law enforcement bailiwick (Quarmby, 2009). Fingar (2011) posits that an understanding of the wider context provides the strategic analyst with the capacity to reduce the uncertainty of decision-making. This is achieved through providing an improved understanding of the implications of decisions and their impact on the wider complex environment (Davis, 2007).

8.7 Factors Inhibiting the Effectiveness of Strategic Intelligence in Law Enforcement

Analysis of the case studies—individually and collectively—allowed for the identification of a range of strategic TOC intelligence inhibiting factors: organisational, methodological, cultural and theoretical. The analysis of these factors revealed that the major factors inhibiting strategic TOC intelligence effectiveness relate to misunderstandings of intelligence uses and limitations by clients, unclear links between intelligence products and decision-making, and an underlying epistemological understanding of '*evidenced based intelligence*'. These key inhibiting factors are supported by Laqueur (2012) in his discussions of the uses, limitations and abuses of intelligence.

The AFP case study revealed that strategic intelligence within law enforcement is faced with a number of theoretical challenges that potentially inhibit its effectiveness against TOC (Carter and Carter, 2009; and Sheptycki, 2009). The first of these challenges is the absence of a sufficiently robust intelligence framework for national policing (Best, 2010). Each of the case studies indicated that ILP did not provide a sufficiently detailed understanding of national policing's unique needs for strategic criminal intelligence. More specifically, ILP has a community policing focus that does not suitably deal with the scale of the area of influence and interest of high-policing targeting TOC (see also Carter and Carter, 2009; Ball, 2007; and Casey, 2007). In contrast, the frameworks contained within the field of intelligence studies consistently deal with an adversarial model of policy and strategy, with a predominate focus on kinetic and non-kinetic adversarial policy levers (Lowenthal, 2012; and Fingar 2011).

The AFP case study indicated that law enforcement intelligence doctrine (AFP, 2010a) did not adequately define the difference between *'information'* and '*intelligence'*. Whilst intelligence is described as value-added information, the terms '*information*' and '*intelligence*' are applied inconsistently to a range of products by clients and intelligence professionals alike within law enforcement (Collier, 2006; and Respondents 001-046). The confusion is most often associated with the collation phase of the intelligence cycle (Walsh, 2011). The collation phase shares many of the same tools and sub-process as information analytics and policy analysis (Dean and Gottschalk, 2007). The inhibiting factor is that the exact nature and differentiation between intelligence and information remain unclear.

Each of the case studies provided evidence that crime analysis has increasingly become a synonym for intelligence and intelligence processes (Dupont and Brodeur, 2006). This development has contributed to the arguments by Dean and Gottschalk (2007) that intelligence is a function within the field of information and KM. Both of these observations obfuscate the true nature and specificity of strategic intelligence in law enforcement. Crime analysis and information analytics play a valuable organisational role in law enforcement (Edwards and Gill, 2007). However, clients' and professionals' confusion between both has often, in practice, prevented criminal intelligence's extrapolation of incomplete data sets to anticipate future risks and opportunities, especially with regards to TOC (Quarmby, 2009; and Walsh, 2011). This would appear to have theoretically inhibited the ability of law enforcement's strategic intelligence outputs from being differentiated from information and KM.

The AFP case study exposed a high degree of both competition and engagement between strategic intelligence and law enforcement policy (Hughes and Jackson, 2007). Neither the case studies nor the literature review could identify any existing doctrinal theory or framework outlining the interaction between these fields within law enforcement. As the national security application of intelligence dominates intelligence studies it argues for a separation of the fields (Lowenthal, 2012; and Fingar, 2011). However, within the law enforcement context there appears to be little clear theoretical basis for restricted interaction between policy and intelligence. The absence of a clear framework has resulted in AFP intelligence staff and managers seeking a degree of separation (AFP, 2010a), which in the law enforcement policy space appears not to be needed.

The AFP case study revealed limited communication between strategic intelligence staff and clients (Respondents 006-026 and 037-041). This lack of communication was a major contributing factor to the limited relevance of strategic TOC intelligence, as it prevented the development of intelligence's understanding of the decision-making context that was being supported (Respondents 001-005 and 037-041). Fingar (2011) and Kahn (2009) have both highlighted that understanding and predicting the customer's needs is vital to the successful production of strategic intelligence. Herman (2007) highlighted the importance in the simple clause '*The customer is king'.* This communication issue is related to both structural and organisational factors. In the case of strategic intelligence there appears to be substantial organisational distance between the intelligence professional and their senior or strategic decision-making clients (Respondents 037-041). The organisational distance between intelligence management and strategic TOC intelligence clients is also substantial (Respondents 001-005 and 037-041). The impact of these organisational distances is further amplified by cultural and methodological communication barriers (Hughes and Jackson, 2007). These issues inhibit the effectiveness of strategic TOC intelligence by hampering the organisational communication of business needs (Lowenthal, 2012; and Fingar 2011).

SLG decision-makers (001-005) and policy staff (037-041) in the AFP case study were unable to clearly communicate their long-term strategic intelligence needs to strategic intelligence analysts. One key informant (003) stated that '*you do not know what you do not know*'. In part this is due to the dynamic nature of the AFP's TOC operating context, but also just as importantly to the accelerated and simplified public policy process (Christensen and Laedreid, 2007). Ratcliffe (2008a) argues these same issues were the drivers for the development of ILP as a management methodology for law enforcement. These findings also reinforce the difference in challenges between intelligence studies and law enforcement with regards to intelligence models.

The intelligence respondents (006-026) stated that they did not adequately understand the decision-making context of their key clients. Furthermore, these respondents (006-026) argued that the existing intelligence frameworks prevented them from developing and maintaining an understanding of the decision-making context. The models and theories developed in the field of intelligence studies are all predicated on the successful communication of client direction to the intelligence products (Kahn, 2009; and Fingar, 2011).

Previous law enforcement research has discussed the competitive nature of law enforcement agencies (Hughes and Jackson, 2007; Innes, 2006; Joutsen, 2005; and Kruger and Haggerty, 2006). The AFP case study built upon the understanding of the nature of this competition. AFP SLG respondents (001-005) implied they valued operational information and reporting over policy and strategic intelligence input. Analysis of the rationale for this phenomenon indicates that customers can more readily understand the meaning and value of this reporting (Hughes and Jackson, 2007). There appears to be an organisational inhibiting factor regarding the purpose of individual intelligence products.

One of the underpinning organisational inhibitors to strategic TOC intelligence effectiveness across all of the case studies was concerned with the limited understanding of what constitutes '*strategic*' decision-making in high-policing (see also Pythian, 2006; and Rogers, 2009). The confusion relates to the difficulties associated organisationally with the management of law enforcement operations (Ransley and Mazerole, 2007). Within the case studies law enforcement agencies in practice operated a two-tier system. The top tier involves issues of interaction and engagement at the governmental level (Pythian, 2006; and Rogers, 2009). The bottom tier, or operational level, focuses on achieving key performance measures (Ransley and Mazerole, 2007). Achieving these measures relies on police officers identifying risks and opportunities, often aided (as in the case of the AFP) with a prioritisation model (Ransley and Mazerole, 2007; and Respondents 001-005). The approach focuses operational activity on achieving performance measures, but not on the outcome (Monohan and Palmer, 2009). There are, as a result, some difficulties for law enforcement strategic intelligence and policy developing products that are focused on achieving whole-of-government outcomes. This situation is further complicated by the nature of TOC, with

threat elements being located outside of the Australian jurisdiction and with the level of reported crime far exceeding response resources (Galeotti, 2005).

One of the most substantial organisational inhibiting factors for strategic TOC intelligence is alignment. Alignment is concerned with the link between strategic decision-making, functional strategies and operational activity within law enforcement (Goldberg, 2007). As illustrated by the AFP case study, one of policing's key strengths is the unique ability of individual members to act in a discretionary manner: the power of the constable. This same power provides law enforcement organisations with a number of decision-makers capable of identifying and rapidly exploiting risks and opportunities to improve organisational outcomes (Ransley and Mazerole, 2007). Often as a result of this unique police operating model strategic decisions are not aligned throughout the organisation. The model also results in a wider set of strategic decision-making clients at the bottom of the organisational structure.

Cultural factors form one of the major inhibiting factors to the effectiveness of strategic TOC intelligence in law enforcement (Pythian, 2006; and Rogers, 2009). Chapter Two's literature review provided an introduction to the strong cultural issues facing intelligence in policing. The AFP case study reinforced the important value information has in the wider police culture (Hughes and Jackson, 2007). This importance makes the collection and collation of raw information difficult for strategic intelligence (Respondents 006-026). The information flows from operational to strategic level within the AFP are inconsistent at best. In many cases the organisational knowledge or information is not contained within any formal product, but resides in the memories of individual officers making the collection of this kind of information difficult (Dean and Gottschalk, 2007).

During the AFP case study a number of operational police (Respondents 027, 039-030, 032, 034-036) argued that law enforcement, especially that targeted at TOC, is all about '*locking up*' (030) or '*banging up*' (035) *'crooks'*. Based on this information it would appear that the aim, from an operational perspective, of the AFP's organisational activity is to achieve arrests and seizures rather than harm reduction or any other strategic purpose. Based on this, is it of little surprise that policy and strategy are relegated to being interesting side issues by operational policing decision-makers. This aim appears to be in direct conflict with the theories relating to contemporary law enforcement performance management (Gimber, 2007) and public sector reform (Talaga and Tucci, 2008; and Christensen and Laedreid, 2007). This cultural factor blocks the uptake of strategic intelligence by decision-makers.

Strategic intelligence in law enforcement is faced with a number of methodological challenges and paradoxes (Sheptycki, 2009; Quarmby, 2009; and Walsh, 2011). These challenges and paradoxes often inhibit the effectiveness of strategic TOC intelligence by impacting on its quality and use (Laqueur, 20009). At the whole-of-government level the very nature of the TOC threat is not well understood (Casey, 2007). In each of the case study sites whilst the problem of TOC has been elevated to a national security threat the nature of the threat is not fully understood using the current construction of national security (Sheptycki, 2009; and Quarmby, 2009). The threat from TOC, as highlighted in Chapter Two, is dynamic in nature and threatens national security in a number of very diverse and pervasive ways (UNODC, 2010). One of the most substantive impacts is in the area of human security (Sheptycki, 2009; and Turbiville, 2005). Whilst law enforcement has engaged with the importance of human security to national security, national security agencies and academics have been slow to engage with this perspective (Sheptycki, 2009). The result is that often law enforcement strategic intelligence has been less effective in articulating the nature of the national security threat in a manner that more traditional interlocutors can conceptually grasp (Sheptycki, 2009; and Respondents 003 and 005).

Strategic policing in law enforcement has a short professional history (Carter and Carter, 2009). Traditionally law enforcement has been able to achieve strategic outcomes through appropriate resource allocation, as opposed to quality organisational strategies. The SOCA case study indicated how successful strategic law enforcement strategies guided by strategic intelligence can have real impacts on TOC harm (SOCA, 2011), yet simultaneously fail to achieve more traditional performance measures such as arrests and seizures (Maguire and Tim, 2006). This paradox challenges the preparation of strategic TOC intelligence by making it dually focused on competing outcomes, where strategic objectives may negatively impact on performance measures.

In answer to the increased public scrutiny of national security and law enforcement the term '*evidence-based intelligence*' has entered the lexicon of public commentators, law enforcement and intelligence professionals (Mitchell, 2007; and Fingar, 2011). The term should not be misinterpreted to mean intelligence that is presented in a court of law as evidence (Ratcliffe, 2008). This newer term relates to the level of confidence that a decision-maker can have in intelligence (Fingar, 2011). The term does not take into account the very nature of intelligence and may lead to intelligence being relegated to a KM role (Lowenthal, 2012; and Laqueur, 2009).

The field of intelligence is associated with the future, and involves the professional working with an incomplete data set (Fingar, 2011). Thus, by its very nature, future-based strategic intelligence could not meet any jurisdiction's requirements for being '*evidence-based*'. This places strategic intelligence analysts in a difficult position, whereby to be '*evidence-based*' it must wait until assessments can be defended with the standard of '*beyond reasonable doubt*', which make it more akin to knowledge.

Strategic TOC intelligence is faced with a substantial methodological paradox. Strategic intelligence, which adequately identifies the future and communicates the strategic decision priority accurately, should result in law enforcement action (policy or strategy) (see also Cavelty and Mauer, 2009; Davis, 2007 and 2009; Dupont, 2003; Lowenthal, 2012; and Fingar, 2011). Law enforcement strategy, if correctly developed, will have an impact on the criminal environment which will then change the future state (Levi and Maguire, 2004). Thus, accurate strategic intelligence will predict a future that will not occur because of strategic action. This can result in new crime emerging in response to strategic assessments which have led to the mitigation of crime risks—the unintended consequences of strategic intelligence (Fingar, 2011). This situation gives rise to a complex paradox whereby strategic intelligence that is increasingly accurate will eventually become increasingly inaccurate. This situation may inhibit the uptake of strategic intelligence given its perceived inaccuracies.

8.8 Towards Client-Focused Strategic Criminal Intelligence

Against the backdrop of such a diversity of inhibiting factors the challenge of providing stakeholders with more client-focused strategic TOC intelligence products could appear almost aspirational in nature. The complexity of this challenge is a mirror of the complexity of the TOC threat and its corresponding harms to human and national security (Sheptycki, 2009; and UNDOC, 2010). The way forward identified within this research calls for engagement with this complexity through thematic grouping of the challenges. The oversimplification of this challenge could result in the identification of one-dimensional theories that do not match the complexity of the operating context of law enforcement.

This body of research, especially data collected from the AFP's strategic intelligence clients (Respondents 001-005 and 026-046), found that clarifying the aim of strategic TOC intelligence could lead to more client-focused products and services (Marrin, 2009a). This improvement could be achieved by focusing strategic TOC intelligence on reducing the decision-making uncertainty faced by key clients by identifying risks and opportunities (Fingar, 2011).

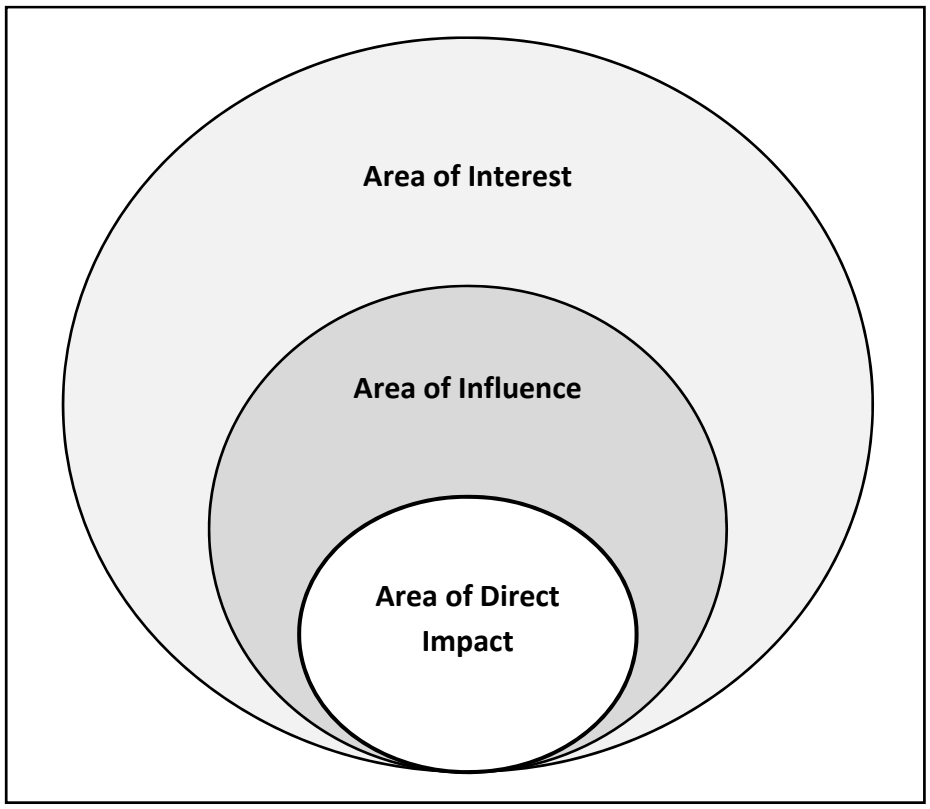
The literature review (Chapter Two) revealed that previous frameworks for intelligence in law enforcement have sought to identify the utility of its application to law enforcement in community policing (Ratcliffe, 2008a and 2008b). This approach simplified the operating context to a point where the utility of intelligence, beyond volume policing, was difficult to articulate (Carter and Carter, 2009). In comparison, strategic law enforcement intelligence is seeking to engage and understand the complexity, to allow for the identification and exploitation of risks and opportunities (see also Quarmby, 2009; and Walsh, 2011). This research argues that contextualising analysis with the operating context will provide further clarity throughout law enforcement organisations of the TOC challenge. With this understanding the decision-maker, whether at the lowest or highest level of the organisation, will be able to contextualise their decision-making as it relates to strategic risks and opportunities (Flood and Gaspar, 2009; and Gill, 2009).

The research indicated that within the AFP strategic intelligence needs to provide the strategic decision-maker with an understanding of the operating context to reduce uncertainty. The AFP case study also revealed that the strategic decision-makers' context consists of three very different conceptual constructs (see Figure 8.5): '*area of direct impact*', '*area of influence*', and '*area of interest*'. A similar framework is used by the United States (US) military commanders (US Army, 2011). Within this framework, the '*area of direct impact*' relates to the area that current law enforcement resources have a direct impact on. The concept refers to more than a geographic area; the area of impact is a conceptual construct that can relate to a range of potential impacts including a geographical area, a specific threat or risk.

The '*area of influence*' refers to the wider operating environment, which a law enforcement agency is able to influence either directly or indirectly (US Army, 2011). In the case of TOC, this construct is extensive and can relate to a range of international and national locations, harms, risks or threats (Quarmby, 2009). Given the finite nature of law enforcement resources, the strategic TOC intelligence challenge is contextualising this environment through a range of analytical lenses, including the comparing and contrasting of competing threats, risks and harms (Carter and Carter, 2009).

The final theoretical construct for contextualising strategic intelligence is the '*area of interest*', which is concerned with the strategic decision-maker's wider intelligence requirements (US Army, 2011). The area of interest relates to information that impacts upon the areas of influence and direct impact, but is unable to be currently influenced within current operating constraints. The comprehension of this '*area of interest*' provides the decision-maker with the detailed understanding of complex TOC threats (Fingar, 2011). In providing intelligence that is contextualised against this framework strategic TOC intelligence becomes more effective at supporting decision-makers' needs (Lowenthal, 2012).

Figure 8.5 — Theoretical Model for the AFP's Strategic Intelligence Areas of Impact, Influence and Interest
(US Army, 2011)



Strategic decision-makers within law enforcement are already receiving voluminous decision-support material for strategy and policy development from operational and policy areas (Respondents 001-005; and Fingar, 2011). To avoid criticism for being just another voice amongst this multi-channel information flow, the strategic intelligence capability must look to understand what differentiates it from other forms of decision support (Johnson, 2009). To improve this product differentiation, strategic intelligence's theoretical model must move from the context of '*evidence-based*' intelligence. To be increasingly valuable for decision-makers strategic intelligence must be a scientifically informed, forward-focused product (Quarmby, 2009; Walsh, 2011; and Fingar 2011). The product must also clearly identify, describe and contextualise emerging trends and issues (Respondents 001-005; and Fingar, 2011).

The theoretical construct of '*evidence-based intelligence*' restricts strategic intelligence to an information or KM paradigm of decision-support (Mitchell, 2007). Intelligence in this construct is, at best, relegated to identifying the unseen through detailed information or crime analysis (Mitchell, 2007). Whilst there can be little doubt that these types of decision-support materials have untold value they limit the application of anticipative futures intelligence in problem solving. (Quarmby, 2009; Lefebvre, 2010; and Liaropoulous, 2006).

A future-based theoretical framework for strategic intelligence results in decision-support material with less analytical certainty than '*evidence-based*' intelligence (Kahn, 2009). As a result of the lower levels of analytical surety intelligence products that identify risks and opportunities can be disseminated sooner than may have otherwise been possible in evidence-based constructs (Johnson, 2009). This future-focused strategic intelligence support moves law enforcement decision-making to a more proactive decision-making paradigm through the anticipation of TOC developments (Quarmby, 2009). The dynamic nature of TOC calls for such proactive strategies (Kirby and McPherson, 2004).

The AFP case study revealed that strategic intelligence clients were often unable to clearly identify the impacts and strategic decisions arising from intelligence products (Respondents 001-005). Analysis of key strategic intelligence reports for each case study site did not reveal what the implications of each assessment were for the reader or strategic decision-maker. The literature review and case studies in this thesis provided evidence that this problem may be exacerbated by the absence of strategic management maturity in law enforcement.

Contemporary intelligence theory argues that all intelligence reporting should provide an answer to the fundamental intelligence question of '*so what*' (Fingar, 2011). The case studies' findings implied that strategic law enforcement intelligence may need to take this '*so what*' process even further. In doing so, strategic intelligence should clearly answer the question '*so what does this analysis mean to the decision-maker*' (Howlett, 2009). Intelligence theory for national security applications of strategic intelligence (Lowenthal, 2012) argues against such an endeavour. In comparison, Ratcliffe's 3-I Model (2008a) calls for the decision-maker to be presented with the answer to the question. However, in arguing for this perspective, Ratcliffe's (2008a) model of ILP does not allow for the important decision-making support of policy and operational inputs to be included in decision-making.

Intelligence studies literature argues that the relationship between intelligence and policy is an activity in delicately balancing closeness and distance (Lowenthal, 2012; and Fingar, 2011). The case studies and law enforcement literature (Chapter Two) do not sustain this argument. The maturing strategic management of the AFP has indicated a need for synchronisation of strategic intelligence and policy. Achieving this decision-support synchronisation between both areas demands a much closer relationship than what would be expected in national security applications of intelligence (Cavelty and Mauer, 2009; Davis, 2007 and 2009; Dupont, 2003; Lowenthal, 2012; and Fingar, 2011). This synchronisation of processes need not result in harmonisation, or homogenisation, of outputs. The accelerated decision-making cycle of proactive TOC law enforcement requires an abbreviated policy development cycle (Howlett, 2009; and Levi and Maguire, 2004). Strategic intelligence and policy, along with operations, need to have a much closer working relationship structurally and culturally (Ransley and Mazerole, 2007). The framework for

strategic intelligence support must clearly articulate the roles of intelligence, police, policy and decision-makers to ensure that neither homogenisation nor chaos occur.

From a client perspective, successful strategic TOC intelligence must facilitate decision-making outcomes (Ratcliffe, 2008a). Strategic leadership in law enforcement operates in an information-rich environment with conflicting perspectives on even the most basic assumptions relating to TOC (Howlett, 2009; and Levi and Maguire, 2004). These strategic leaders also face conflict between guiding policy and achieving key performance indicators (Respondents 001-005). In each case study site the whole-of-government policy priority is harm reduction. In this context harm relates to the impacts of crime (Monohan and Palmer, 2009). The performance measures for such policy activity are complex and qualitative in nature (Loader, 2004). In comparison, traditional reactive policing calls for performance to be measured in the context of quantitative measures such as seizures and arrests (Hill, 2005; and Harfield, 2008).

Previous research has continuously suggested that reactive policing may not always achieve the most efficient or effective harm reduction outcomes for TOC (Verfaillie and Beken, 2008; Viaene, De Hertogh and Maandag, 2009; Walsh, 2011; and Weisburd and Eck, 2004). Each of the case study site's corporate performance measures and key performance indicators were reactive, quantitative measures. The challenge of conflicting aspirational outcomes, or alternatively outputs that are unrelated to outcomes, becomes part of the law enforcement strategic decision-making problem.

In the past law enforcement intelligence frameworks and models, such as the 3-I Model, have been offered as the answer to the police decision-making challenge (Ratcliffe, 2008a and 2008b; and Walsh, 2011). The application of this model has almost always been successful from a reactive policing context because it remains focused on issues such as recidivist offenders (Carter and Carter, 2009). This approach has not substantially achieved harm reduction and has limited strategies to investigative responses within a national environment (Respondents 001-005). In comparison, the successfully achieving harm reduction, for example in the case of cocaine through price increases related to SOCA strategies, has failed to achieve key performance indicators (SOCA, 2011). To be successful an intelligence framework or model for strategic intelligence must address the competing nature and complexity of this paradox. This is not to say that the framework will answer the conundrum of the paradox, but it will allow the decision-maker the opportunity to understand the full assumptions used in intelligence support (Fingar, 2011).

The case studies have revealed that for strategic TOC intelligence to be more effective it must:

- address the complexity of the operating environment (supported by Fingar, 2011; and Kahn, 2009);

- understand the law enforcement decision-making paradox (supported by Carter and Carter 2009);
- contextualise its analysis of issues to the environment and paradox (supported by Fingar, 2011; and Kahn, 2009); and
- provide the decision-maker with a clear statement of the implications, without undertaking COA development.

8.9 A Framework for Strategic TOC Intelligence

This section utilises the research findings to develop two separate, but interrelated, frameworks for strategic TOC intelligence in law enforcement. The aim of developing these frameworks is to understand the unique role that strategic intelligence can play within law enforcement.

The case studies have found that high-policing organisations are, by nature, operational agencies, which have very clear quantitative performance expectations from their respective governments (Talaga and Tucci, 2008). Even within the construct of this highly operational focus there is a requirement for senior executives and policy bureaucrats to have a detailed understanding of their strategic context (Howlett, 2009). Policing studies, supported by this research, suggest that even the strategically managed law enforcement agency must maintain the flexibility for individual organisational actors/agents to identify and exploit strategic risks and opportunities (see also Verfaillie and Beken, 2008; Viaene, De Hertogh and Maandag, 2009; Walsh, 2011; and Weisburd and Eck, 2004). To be able to do so effectively law enforcement personnel need to understand their strategic context so that they can quickly exploit, or mitigate, opportunities and risks (Verfaillie and Beken, 2008). This important capability is a key component of contemporary law enforcement's ability to rapidly adapt to TOC flexibility.

This research has supported the development of two supporting strategic intelligence frameworks to increase the impact and effectiveness of strategic TOC intelligence. The first of these frameworks is a model of the strategic intelligence client interface, which seeks to address the shortcomings of the 3-I Model (Ratcliffe, 2008a) by using the key findings identified within this chapter. The second framework seeks to explain the three-way interaction between the policy cycle, strategic intelligence cycle and decision-maker.

Ratcliffe's (2008a) model for ILP was originally conceptualised as both an intelligence and police management model. This research has proven that strategic decision-makers in law enforcement utilise a range of decision-support tools to develop policy and implement strategies. These tools included intelligence, information, crime analysis and knowledge.

The AFP case study participants (001-046) argued that law enforcement was police-led rather than intelligence-led. Each research respondent (001-046) acquiesced that intelligence can support organisational decision-making, but is not the primary decision-

maker. The proposed conceptual framework does not represent an ILP model. Instead, it is a framework for the contextualisation of strategic TOC intelligence in law enforcement. The framework could just as easily deal with any number of crime types, but is not itself a police management or prioritisation system.

This research argues that the 3-I Model (Ratcliffe, 2008a) of ILP does not engage with the complexity of the strategic law enforcement operating context, especially with regards to TOC. Figure 8.5 illustrated the conceptual breadth of the law enforcement strategic decision-making and operating context. The 3-I Model's (Ratcliffe, 2008a) focus on the criminal environment does not adequately deal with the complex interface of the TOC criminal environment and the wider social and geo-political context (Sheptycki, 2007).

As illustrated within Chapter Two, and by the case studies, the TOC threat is complex and often crosses licit and illicit markets. To understand the complexity of the crime environment—especially at the strategic level—the intricacies of the crime problem must be understood (Schneider and Hurst, 2008). To achieve this there is a requirement for the focal point of the 3-I Model (Ratcliffe, 2008a)—'*the crime environment*'—to be extended to include the wider geopolitical context and how this impacts upon or effects crime (Levi and Maguire, 2004; Casey, 2007; and Galeotti 2005).

The expansion of the focal point allows the intelligence framework to anticipate future or emerging trends (Quarmby, 2009; and Fingar, 2011). Previous chapters provided evidence of problems associated with the level of unreported crime and its impacts on the reliability of crime analysis and assessment (Ratcliffe, 2008a). Analysis of the known crime environment and its interactions with the wider social and geopolitical context can improve the accuracy of extrapolations (Walsh, 2011). Furthermore, this level of analysis allows greater understanding of the criminal operating environment, subsequently leading to the development of more accurate anticipative intelligence.

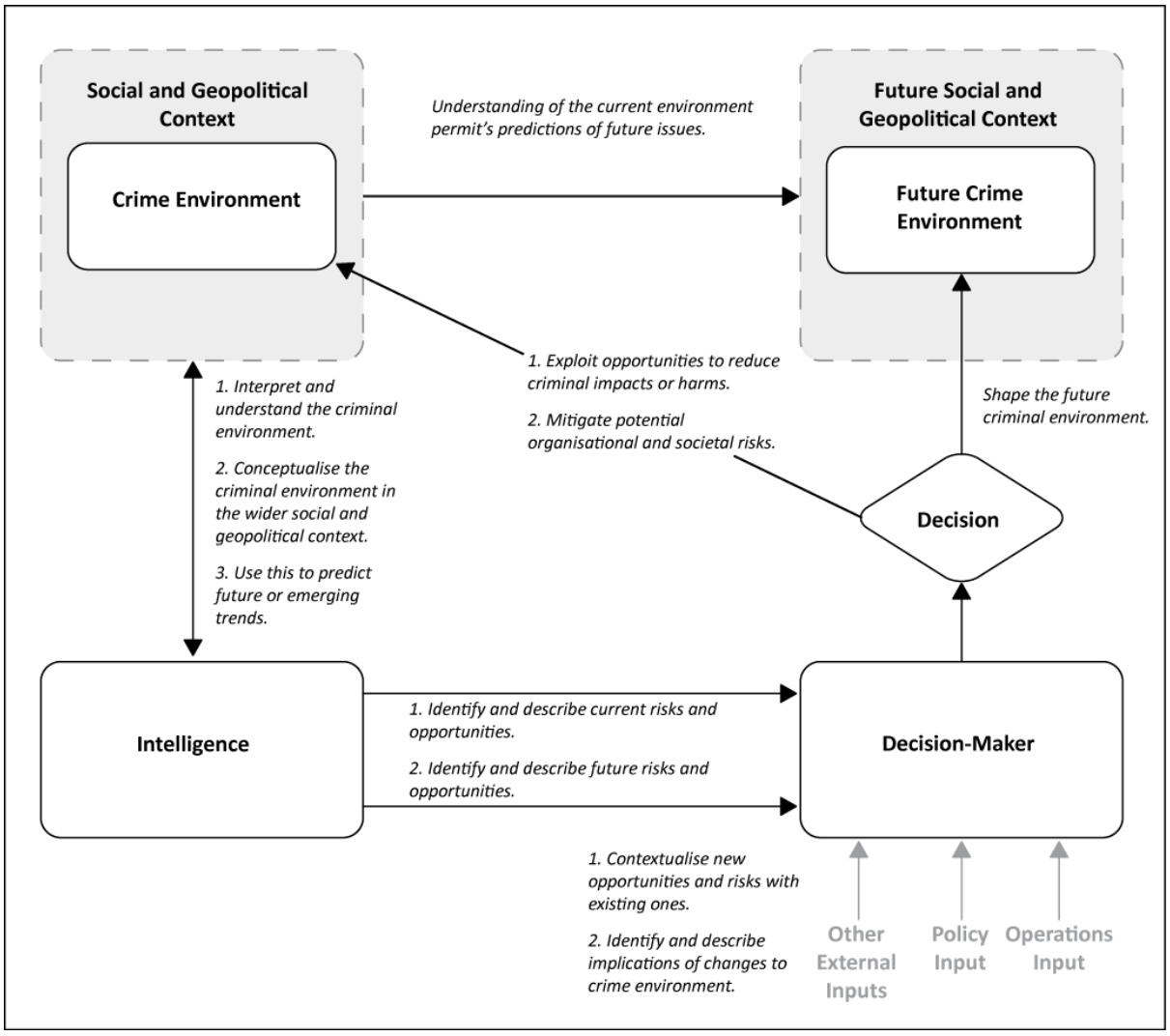
Previous chapters have revealed the limited utility of long-form encyclopaedic or estimative intelligence to clients. In establishing a framework for strategic intelligence in law enforcement it was necessary to consider the issue of identifying the strategic context of operational agencies (Fingar, 2011). Whilst strategic estimates as an output are not without value the operational agency in law enforcement is more concerned with the contextualisation and conceptualisation of the operating context, than the output or vehicle for providing this outcome (Respondents 001-005).

In developing the framework the key driving factors are:

- interpreting and understanding the criminal environment; and
- conceptualising the criminal environment in the wider social and geopolitical context.

This estimative understanding can be used to identify current and future trends (see also Quarmby, 2009; and Johnson, 2009). Beyond the simple articulation of these, the framework argues that the operational law enforcement agency driver for strategic intelligence is the identification of strategic risks and opportunities in the present and future. This construct relates back to the argument in the previous section of the importance of the conceptual difference between intelligence in law enforcement supporting, but not leading, decision-making. The proposed framework (presented in Figure 8.6) provides a theoretical construction of strategic TOC intelligence from a law enforcement perspective. The framework remains a theoretical construct that will need further research to ensure its rigid validity.

Figure 8.6 — Conceptual Framework for Strategic Intelligence in Law Enforcement



The conceptual framework divides the focus of strategic TOC intelligence into two separate time series: present and future. In the present intelligence focuses on assessing the crime environment and the social and geopolitical setting that is linked with this (Fingar, 2011). The aim is to identify and describe key themes and flash point issues of strategic significance (Davis, 2007). This approach recognises the complex nature of TOC and reflects the decision-maker's conception of their operating environment: '*area of impact', 'area of influence'* and *'area of interest'* (Howlett, 2009). Whilst strategic intelligence needs an understanding of the operating context or organisational disposition it is not a focal point of analysis (Johnson, 2009). The main analytical effort is focused on developing an understanding of the driving factors for the criminal environment. The future focus is on conceptualising the future evolving criminal environment in order to identify emerging themes (Quarmby, 2009). This second focal point is concerned with supporting strategic decision-makers with capability development decisions.

The strategic intelligence capability operates in a two-way flow with regards to the present intelligence focus. Through intelligence collection, collation and analysis, strategic intelligence interprets the current criminal environment (Walsh, 2011). An understanding of the criminal environment is then conceptualised by acquiring data sets about the wider social and geopolitical drivers (Fingar, 2011). The aim of this process is to develop a more detailed understanding of the TOC problem by engaging with its complexity. This level of analysis provides intelligence with a broader understanding of the drivers of TOC and, together with the other processes, allows the strategic intelligence capability the opportunity to anticipate future and emerging trends with greater accuracy.

Strategic intelligence within the framework is both a business unit and business process. The strategic intelligence business process involves a transformative practice: information to intelligence. The strategic intelligence business process extends beyond the business unit to encompass the interpretation of the criminal environment (Gill, 2006). As highlighted by Fingar (2011), Kahn (2009) and Davis (2007), to be complete the process must also include the relationship between strategic intelligence and the decision-maker.

A wider definition of the strategic decision-maker was required for this framework. Rather than just being a senior officer, the research revealed that a variety of law enforcement stakeholders made strategic decisions within organisations (Gimber, 2007). As such the decision-maker was identified as just that—a person who makes strategic decisions—as opposed to someone who fulfils a senior leadership position.

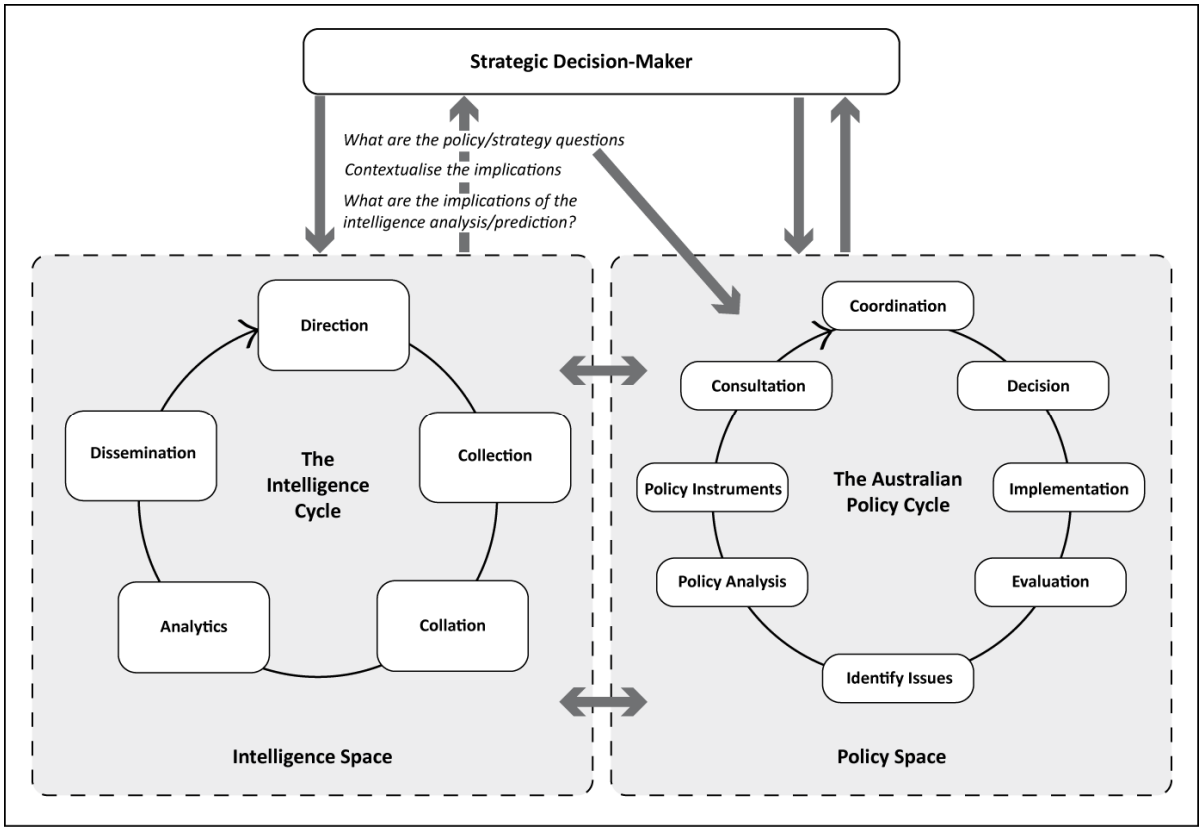
In contrast with earlier law enforcement intelligence models (Ratcliffe, 2008a and 2008b), this conceptual framework identifies a number of decision-support outputs that contribute to strategic decision-making in law enforcement, especially with regards to TOC. Rather than centralising decisions around intelligence, as argued by the 3-I Model (Ratcliffe, 2008a), this framework recognises that intelligence has a part to play but that it is one of a number of diverse inputs. This reduces the direct impact of intelligence as proposed in ILP, from lead to support (Carter and Carter, 2009). This aligns more clearly with the current state within law enforcement agencies, as evidenced throughout the case studies (Gimber, 2007; and Harfield, 2008).

The outcome of the strategic intelligence process is reduced uncertainty faced by decision-makers when making strategic decisions focused on TOC (Fingar, 2011). The outcome is achieved through two parallel outputs communicated to decision-makers in a timely manner. The first output involves identifying and describing strategic risks and opportunities. This is dually focused on current as well as future risks and opportunities. The success of this activity relies equally on understanding the criminal environment, wider social and geopolitical context and the decision-making context of the decision-maker (Quarmby, 2009 and Walsh, 2011). Similarly, the parallel process seeks to identify and describe the implications from a strategic perspective of changes to the crime environment. The parallel process involves contextualising new risks and opportunities against the existing understanding of these risks (Gimber, 2007). The purpose of this process is to allow the decision-maker further clarity over the comparative priority of emerging issues.

Strategic decision-making in law enforcement is focused on making decisions related to the current and future criminal environment. Decisions on the current environment relate to the application of direct impact or influence to reduce criminal impacts and harms (Gimber, 2007). In addition, decisions relate to the allocation of resources to mitigate potential organisational and societal risks (Sparrow, 2008). For future decision-making the focus is on influencing and creating impact to shape the future environment in order to once again reduce the criminal opportunities and risks (Howlett, 2009).

The research found that the traditional intelligence studies' conceptualisation of the relationship between policy and intelligence does not sufficiently address law enforcement needs. The re-conception of ILP within this new strategic intelligence framework results in an additional requirement to redefine the interaction between strategic intelligence, policy and strategic decision-maker. Figure 8.7 provides a graphical representation of the proposed strategic intelligence, policy and strategic decision-maker interactions. Whilst the strategic intelligence framework conceptualised the transformative process of strategic intelligence this second framework reinforces the continuous nature of the interaction between policy, strategic intelligence and the strategic decision-maker.

Figure 8.7 — Conceptual model for the AFP strategic intelligence policy interface at the law enforcement organisational level



The conceptual model is underpinned by the argument that there are three separate, but interrelated, work spaces: intelligence, policy and strategic decision-making (Johnson, 2009). Each work space consists of transformative processes with inputs, business process and outputs focused on achieving a specific outcome (Kahn, 2009). Intelligence studies research argues for a distanced relationship between these three work spaces (Cavelty and Mauer, 2009; Davis, 2007 and 2009; Dupont, 2003; Kahn, 2009; Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011). This research and its strategic intelligence framework proposes that there is a great deal more interaction between these spaces and their transformative processes than previously acknowledged (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011).

The intelligence space is centralised around the transformation of information as well as tactical and operational intelligence into strategic intelligence (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011). The framework in Figure 8.7 proposes that the strategic intelligence transformative processes in law enforcement involve a continuous two-way communication flow with the policy cycle and the decision-maker. The intelligence work space relies on continuous direction throughout the intelligence cycle to ensure that the transformative process output meets the client's needs (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011).

The policy space comprises the policy cycle, as presented in Figure 8.7. The policy cycle interfaces with both the strategic decision-maker and strategic intelligence (Howlett, 2009). Previous models have argued that contact between policy and intelligence must be limited (Laqueur, 2009, Lowenthal, 2012 and Fingar 2011). However, this framework argues that although the transformative process of policy development is cyclical in nature it should involve continuous interaction with the strategic intelligence cycle. There are two critical stages in which the strategic intelligence and policy cycles need to achieve synchronisation in time lines and processes (Bridgman and Davis, 2000).

The issue identification phase of the policy cycle is the first of these critical points of interaction (Bridgman and Davis, 2000; and Davis, 2007). Whilst the policy cycle is continuous the '*issue identification phase*' is the primary mechanism by which the process commences and the decision-maker is engaged (Christensen and Laedreid, 2007). The strategic intelligence framework argues clearly the key role that strategic intelligence should play in this stage through the identification of contextualised risks and opportunities (Davis, 2007; and Lowenthal, 2012). In addition there is a clear interaction between strategic intelligence and the policy cycle phases of '*policy analysis*' (Bridgman and Davis, 2007; and Davis, 2007). Both of these stages serve as important links between the direction, collection and collation stages of the transformative process that is intelligence.

In an effort to improve the impact of intelligence three additional—and not previously identified—stages of strategic TOC intelligence support to decision-makers have been added to the framework. The first of these seeks to take the output from the strategic intelligence cycle and identify what the implications of the intelligence analysis are for the decision-maker. The implications are then contextualised against other organisational issues/threats. Fingar (2011) implies support for such an approach with his discussions of the US policy and strategic intelligence environment. Contextualising this issue provides the decision-maker with an improved understanding of the relativity of the decision at hand. More importantly, as a primer for strategy and policy development, contextualising the policy question allows for the potential opportunity to integrate current and future strategies (Howlett, 2009).

The final stage in this additional process involves developing the overarching policy or strategy question or questions. The aim of this is to ensure that the intelligence process identifies and communicates to the strategic decision-maker the exact implications and issues to be addressed as a result of the strategic intelligence process. The outcome of the strategic intelligence process can then feed directly into the issue identification phase of the policy development cycle, whether at an agency or whole-of-government level (Bridgman and Davis, 2007; and Davis, 2007). Rather than simplifying issues for an isolated decision this framework provides a strategic intelligence capability which clarifies and then integrates issues with the decision-maker's strategic context. This places a great deal of emphasis on developing a shared understanding between decision-makers, policy and strategic intelligence.

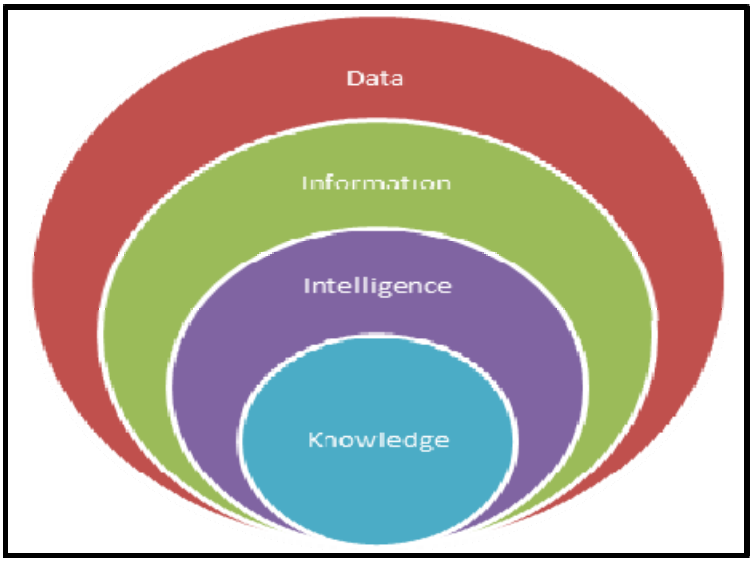
In the past the dissemination phase fed directly back conceptually to the direction phase of the intelligence cycle (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011). This conceptual framework argues that each work space and their underlying processes—whether decision-making, policy or intelligence—continuously interact as a form of ongoing feedback.

8.10 Towards a Law Enforcement Intelligence Theory

This thesis has consistently argued that there remains much to do before an empirically grounded intelligence theory for law enforcement can be developed. Much of the challenge in refining and developing this research's conceptual models into theories involves analysis of the intersection and impact of intelligence studies and ILP. Before this can be done there is an underlying challenge of redefining law enforcement's understanding of data, information, intelligence and knowledge.

Figure 8.8 provides a graphical representation of the current conceptualisation of data, information, intelligence and knowledge within the field of law enforcement (Dean and Gottschalk, 2007). Dean and Gottschalk (2007) provide a sound example of the degree to which the nature of law enforcement intelligence is misunderstood. They (Dean and Gottschalk, 2007) reduce criminal intelligence to a simplistic formula: information plus organised analysis equals intelligence. In part, this misnomer seems unsurprising when intelligence collection techniques (surveillance or human source for example) are so often mistaken for intelligence (see also Fingar, 2011; and Kahn, 2009). In adopting this approach intelligence in law enforcement is relegated to a position of data or crime analysis, without reference to its predictive or anticipative value (Walsh, 2011).

Figure 8.8 — Current Police Knowledge Management Continuum
(Source: Dean and Gottschalk, 2007)



The literature (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011), supported by this research, has consistently highlighted that intelligence is much more than information. As illustrated in Figure 8.9 this thesis has provided findings that indicate that intelligence may not sit within a data, information and KM continuum. Intelligence, within the context of this study, (as illustrated in Figure 9.2) shares a number of common traits with data, information and knowledge (Dean and Gottschalk, 2007). This thesis has consistently found that intelligence is a unique organisational commodity.

Figure 8.9 — Diagram of an Alternative Data, Information, Intelligence and Knowledge Taxonomy in Law Enforcement

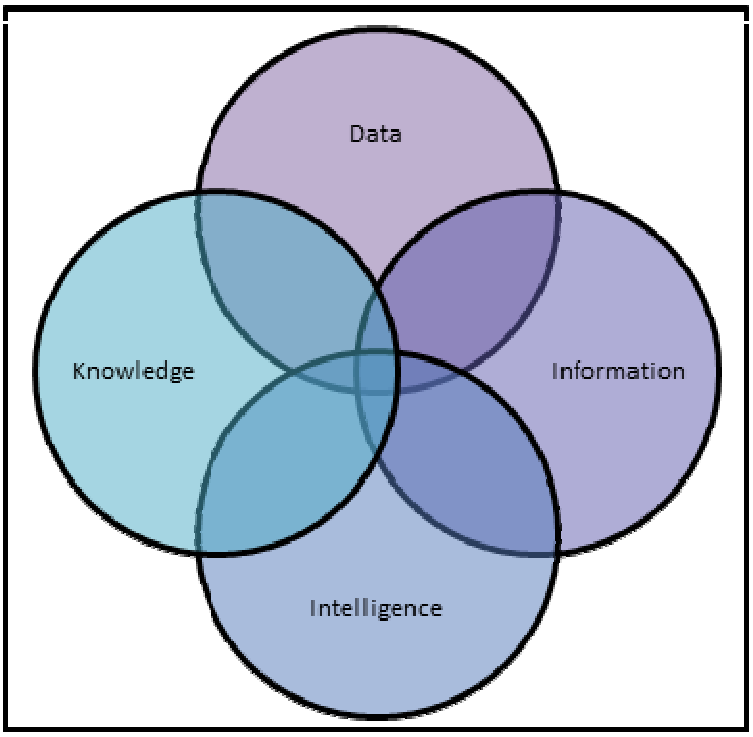
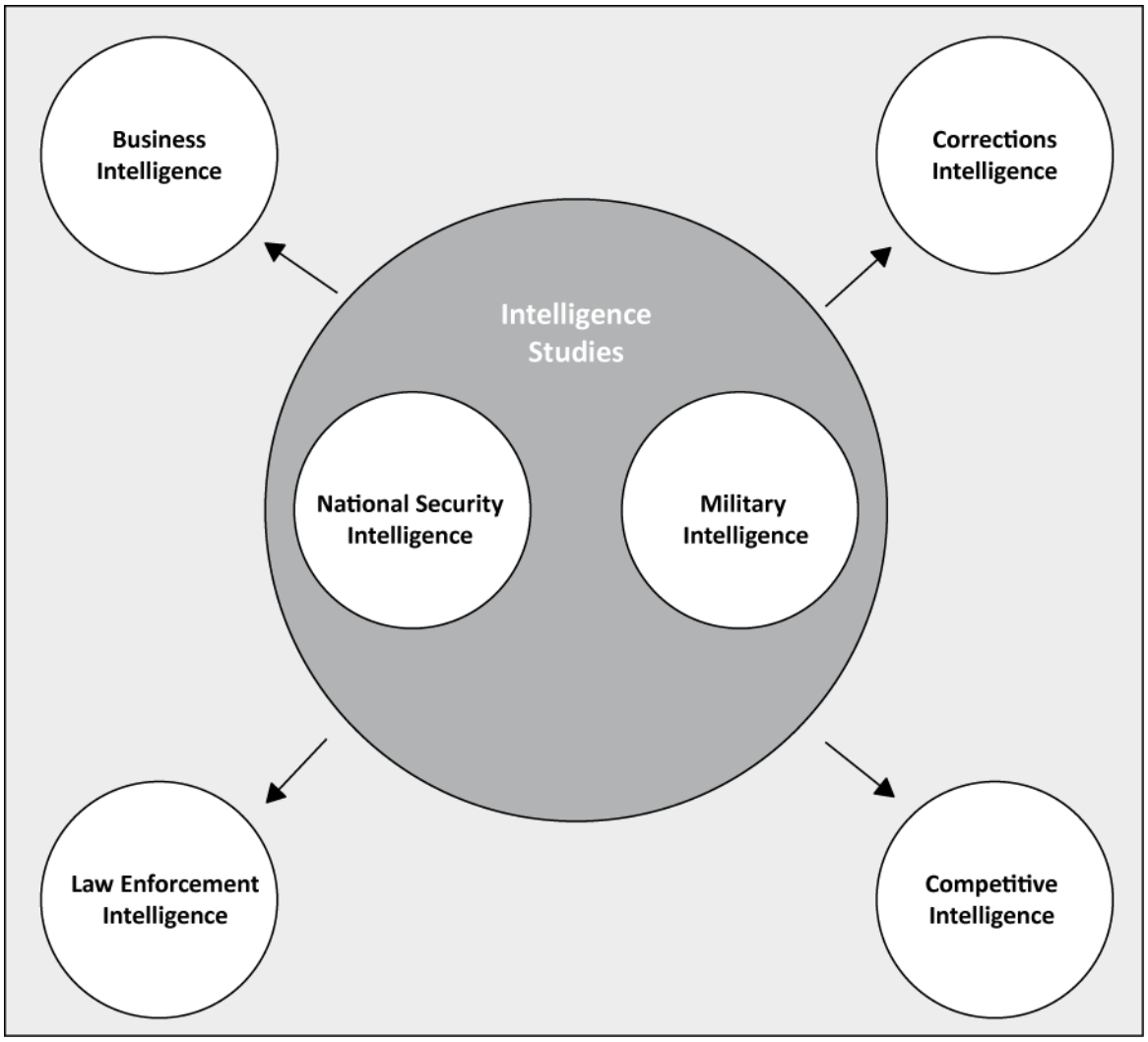


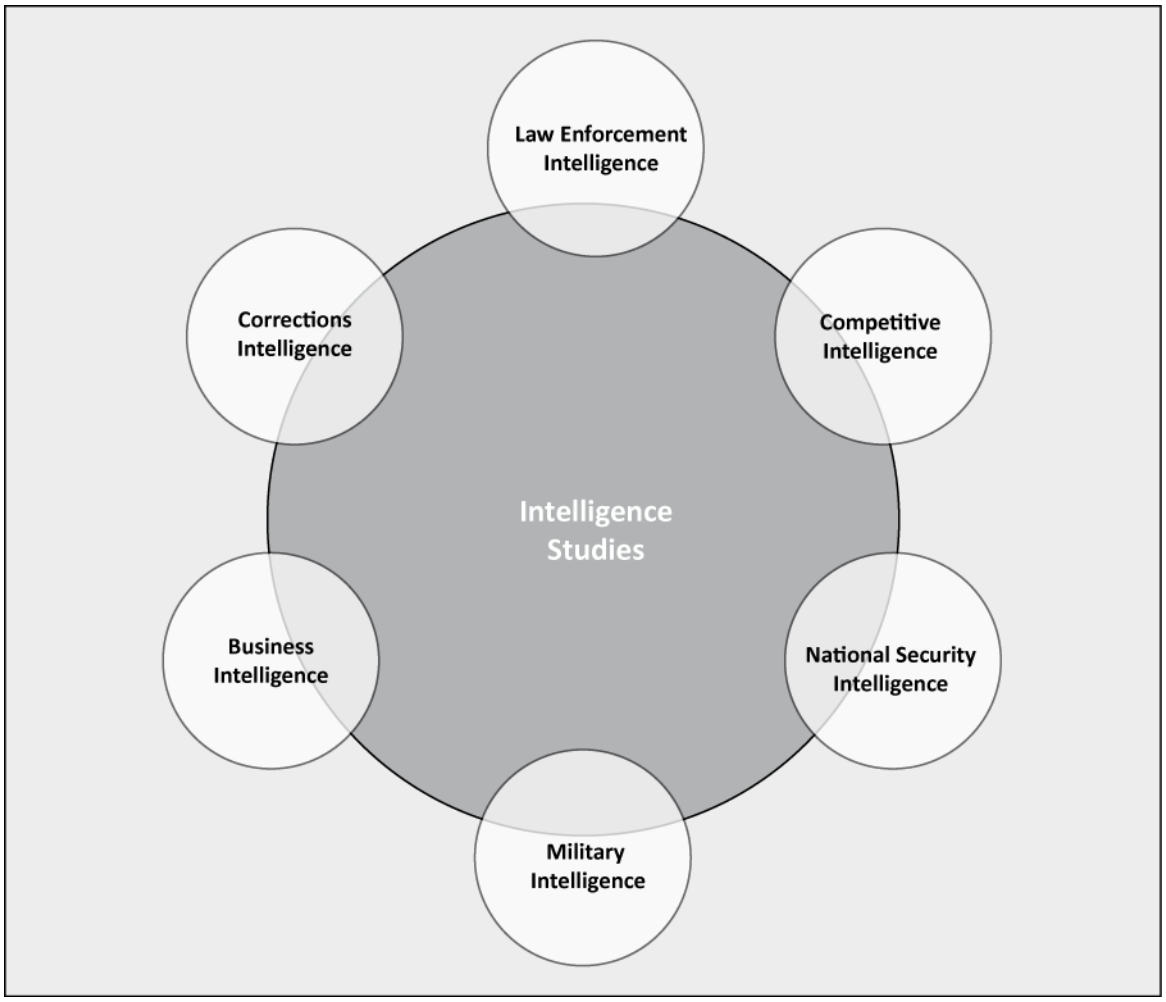
Figure 8.10 provides a graphical representation of the overarching perceptions of intelligence theory, as espoused within the literature from the field of intelligence studies (Kahn, 2009; Davis, 2007; Lowenthal, 2012; Fingar, 2011; and Laqueur, 2009). Intelligence studies—born from the academic fields of military studies, international relations and political science—serves as the source of contemporary intelligence literature and theory (Laqueur, 2009). As illustrated in Figure 8.10, intelligence studies remains firmly focused on the application of intelligence within the national security and military spheres (Kahn, 2009; Davis, 2007; Lowenthal, 2012; Fingar, 2011; and Laqueur, 2009). Its theories are developed from a traditional international relations axiomatic paradigm that submits to the authority of the nation state (Sheptycki, 2009). These intelligence studies' theories are then used within the wider intelligence context, such as law enforcement and business intelligence (Carter and Carter, 2009).

Figure 8.10 — Intelligence Studies' Conception of Intelligence
(Kahn, 2009; Davis, 2007; Lowenthal, 2012; Fingar, 2011; and Laqueur, 2009)



This body of research has argued that applying intelligence studies' theories, such as that concerned with the separation of policy and intelligence, may not be valid in law enforcement. The extrapolation of these findings indicates that the intelligence studies' focus on military and national security may not provide sufficient data to produce holistic theories across all applications of intelligence (Sheptycki, 2009). This observation questions the validity of the model in Figure 8.10. Figure 8.11 provides an alternative model for conceptualising intelligence studies. Within this framework intelligence studies is the genus, and the specific applications (business, competitive, corrections and law enforcement) are each part of the intelligence family. This hypothesis remains untested.

Figure 8.11 — An Alternative Perception of the Field of Intelligence Studies



8.11 Conclusions

Chapter Eight has used the research findings to address each of the supporting research questions. This was then used to generate a conclusive response to the primary research question, through the development of two new strategic intelligence frameworks. This data, supported by the literature, revealed that the prevailing theories and models of ILP were not supported. The chapter has highlighted a number of findings that have substantive impacts on the development of a strategic intelligence framework; the most substantive of which is that the 3-I Model (Ratcliffe, 2008a) does not adequately address strategic intelligence in law enforcement. The first conceptual model presented in this chapter builds upon the existing models within law enforcement and intelligence studies using the research data. The model seeks to deal with a number of the factors that inhibit the effectiveness of strategic TOC intelligence. The keystones for developing this model are an emphasis on product differentiation and client focus.

The second conceptual model has sought to clearly map the inter-relationship between strategic TOC intelligence, policy and strategic decision-makers in law enforcement. The research consistently identified that the doctrinal distancing of these elements in intelligence studies did not appear to be justified. This body of research also revealed that intelligence products need to be synchronised and synergised with policy and decision-making cycles to be fully effective.

Chapter Nine concludes the thesis by examining the implications of this research through an exploration of its wider application, as well as its validity and reliability. Chapter Nine will also use this research to make recommendations for future research.

Chapter 9
Conclusion

9.1 Introduction

Intelligence Led Policing (ILP) theory has for some time offered law enforcement a framework for management decision-making at the tactical or case level. The existing models of ILP place intelligence (the capability) in an active role in the decision-making process. This research has found that strategic intelligence (the product) impacts on decision-making in law enforcement are more passive, but just as important. The strategic intelligence framework developed in this body of research focuses on reducing uncertainty, and identifying risks and opportunities for decision-makers' consideration. The strategic intelligence capability offers law enforcement a means by which decision-making on strategy setting and policy, using incomplete or complex data sets, can be made more objective (see also Ratcliffe, 2008a and 2008b).

The primary objective of this research was to contribute to the further development of theoretical knowledge of law enforcement intelligence. The research critically explored how law enforcement's strategic intelligence capability can support decision-makers in complex national policing organisations. The research is significant because it provides further scientific knowledge of strategic TOC intelligence in law enforcement. This research has also explored the practical application of intelligence models that have been previously examined in a theoretical setting and established the value they provide in supporting decision-making.

This chapter concludes the thesis with a final discussion of the key findings, their implications and limitations. The chapter also discusses opportunities for future research.

9.2 Strategic Intelligence in Law Enforcement

The main research findings are chapter-specific and have been summarised within the respective chapters (Chapters Four to Eight). This section will synthesise the explorative research findings to answer the primary research question:

'*How can strategic intelligence be used to support law enforcement executive decision-makers in preventing, detecting, disrupting, and investigating transnational organised crime'*.

The research provided evidence that the current strategic TOC intelligence efforts, at least within the AFP, are not meeting the forward planning or policy needs of contemporary law enforcement organisations (see also Carter and Carter, 2009; and Respondents 001-005). Analysis of the case studies' findings—individually and collectively—provided evidence

which identified a range of strategic TOC intelligence inhibiting factors: organisational, methodological, cultural and theoretical.

The AFP case study revealed that the major inhibiting factors for effective strategic TOC intelligence are associated with:

- client understanding of intelligence uses and limitations;
- incongruence of client and intelligence practitioner expectations with regards to the links between intelligence products and decision-making;
- competition between intelligence and policy;
- communication between intelligence practitioner and clients;
- incongruence of client and intelligence practitioner understanding of operational, policy and strategic intelligence decision-support; and
- Underlying epistemological understanding of '*evidenced-based intelligence*'.

The AFP case study revealed that strategic intelligence within law enforcement is faced with a number of theoretical challenges that potentially inhibit its effectiveness against TOC (Carter and Carter, 2009; and Sheptycki, 2009). The first of these challenges is the absence of a sufficiently robust intelligence framework for national policing (Best, 2010). Each of the case studies provided supporting evidence that ILP theory did not offer a sufficiently detailed understanding of national policing's unique needs for strategic criminal intelligence. More specifically, the AFP case study provided support to the hypothesis that ILP has a community policing focus that does not suitably deal with the scale of the area of influence and interest of national policing targeting TOC (see also Carter and Carter, 2009; Ball, 2007; and Casey, 2007). Intelligence studies frameworks were limited in utility for law enforcement because of their predominate focus on kinetic and non-kinetic adversarial policy levers (Lowenthal, 2012; and Fingar 2011).

Each of the case studies provided evidence that crime analysis has increasingly become a synonym for intelligence and intelligence processes (Dupont and Brodeur, 2006). Crime analysis and information analytics play a valuable organisational role in law enforcement (Edwards and Gill, 2007). But in practice clients' and professionals' confusion between both has often prevented criminal intelligence's extrapolation of incomplete data sets to anticipate future risks and opportunities, especially with regards to TOC (Quarmby, 2009; and Walsh, 2011). This unclear definition prevented decision-makers from being able to exploit the advantages and limitations of both information and intelligence.

The AFP case study exposed competition between strategic intelligence and law enforcement policy (Hughes and Jackson, 2007). Neither the case studies nor the literature review could identify any existing doctrinal theory or framework outlining the interaction between these fields within law enforcement. As the national security application of intelligence dominates intelligence studies it argues for a separation of the fields (Lowenthal, 2012; and Fingar, 2011). The case studies failed to identify any proof that such a principle should be applied to law enforcement.

Previous law enforcement research has discussed the competitive nature of law enforcement agencies (Hughes and Jackson, 2007; Innes, 2006; Joutsen, 2005; and Kruger and Haggerty, 2006). The AFP case study built upon the understanding of the nature of this competition. The AFP's Senior Leadership Group (SLG) respondents (001-005) implied they valued operational information and reporting over policy and strategic intelligence input. Analysis of the rationale for this phenomenon indicates that customers can more readily understand the meaning and value of this reporting (Hughes and Jackson, 2007). There appears to be an organisational inhibiting factor regarding the fact that intelligence stakeholders often cannot establish the purpose of individual intelligence products.

The AFP case study revealed limited communication between strategic intelligence staff and clients (Respondents 006-026 and 037-041). This lack of communication was a major contributing factor to the limited relevance of strategic TOC intelligence, as it prevented the development of intelligence's understanding of the decision-making context that was being supported (Respondents 001-005 and 037-041). This communication issue is related to both structural and organisational factors. In the case of strategic intelligence there appears to be substantial organisational distance between intelligence professionals and their senior or strategic decision-making clients (Respondents 037-041). The organisational distance between intelligence management and strategic TOC intelligence clients is also substantial (Respondents 001-005 and 037-041). The impact of these organisational distances is further amplified by cultural and methodological communication barriers (Hughes and Jackson, 2007). These issues inhibit the effectiveness of strategic TOC intelligence by retarding the organisational communication of business needs (Lowenthal, 2012; and Fingar 2011).

The AFP case study provided proof that intelligence practitioners did not adequately understand the decision-making context of their key clients. The case studies also supported the argument that the existing intelligence frameworks prevented them from developing and maintaining an understanding of the decision-making context.

One of the organisational factors which substantially inhibits the effectiveness and impact of strategic TOC intelligence is alignment. Alignment is concerned with the link between strategic decision-making, functional strategies and operational activity within law enforcement (Goldberg, 2007). As illustrated by the AFP case study, one of policing's key strengths is the unique ability of the individual member to act in a discretionary manner: the power of the constable. This same power provides law enforcement organisations with a number of decision-makers capable of identifying and rapidly exploiting risks and opportunities to improve organisational outcomes (Ransley and Mazerole, 2007). Often as a result of this unique police operating model strategic decisions are not aligned throughout the organisation. The model also results in a wider set of strategic decision-making clients at the bottom of the organisational structure.

Strategic intelligence in law enforcement is faced with a number of methodological challenges and paradoxes (Sheptycki, 2009; Quarmby, 2009; and Walsh, 2011), which often inhibit the effectiveness of strategic TOC intelligence by impacting on its quality and use (Laqueur, 20009). At the whole-of-government level the very nature of the TOC threat is not well understood (Casey, 2007). In each of the case study sites, whilst the problem of TOC has been elevated to a national security threat the nature of the threat is not fully understandable using the current construction of national security (Sheptycki, 2009; and Quarmby, 2009). The threat from TOC, as highlighted in Chapter Two, is dynamic in nature and threatens national security in a number of very diverse and pervasive ways (UNODC, 2010). One of the most substantive impacts is in the area of human security (Sheptycki, 2009; and Turbiville, 2005). Whilst law enforcement has acknowledged the importance of human security to national security, national security agencies and academics have been slow to adopt this perspective (Sheptycki, 2009). The result is that often law enforcement strategic intelligence has been less effective in articulating the nature of the national security threat in a manner that more traditional interlocutors can conceptually grasp (Sheptycki, 2009; and Respondents 003 and 005).

Strategic policing in law enforcement has a short professional history (Carter and Carter, 2009). Traditionally law enforcement has been able to achieve strategic outcomes through appropriate resource allocation, as opposed to quality organisational strategies. The SOCA case study provided proof of how successful strategic law enforcement strategies guided by strategic intelligence can have real impacts on TOC harm (SOCA, 2011) yet simultaneously fail to achieve more traditional performance measures such as arrests and seizures (Maguire and Tim, 2006). This paradox challenges the preparation of strategic TOC intelligence by making it dually focused on competing outcomes, where strategic objectives may negatively impact on performance measures.

In response to increasing public scrutiny of national security and law enforcement the term '*evidence-based intelligence*' has entered the lexicon of public commentators, law enforcement and intelligence professionals (Mitchell, 2007; and Fingar, 2011). The term should not be misinterpreted to mean intelligence that is presented in a court of law, as evidence (Ratcliffe, 2008). This newer term relates to the level of confidence that a decision-maker can have in intelligence (Fingar, 2011). The term does not take into account the very nature of intelligence and may lead to intelligence being relegated to a knowledge management (KM) role (Lowenthal, 2012; and Laqueur, 2009).

Intelligence is associated with the future and involves the professional working with an incomplete data set (Fingar, 2011). Thus, by its very nature, future-based strategic intelligence could not meet any jurisdiction's requirements for being '*evidence-based'*. This places strategic intelligence in a difficult position, whereby to be '*evidence-based*' it must wait until assessments can be defended with the standard of '*beyond reasonable doubt*', which make it more akin to knowledge.

The research found that strategic intelligence support to law enforcement executive decision-makers can be enhanced by:

- examining law enforcement's dogmatic acceptance of intelligence studies theories;
- synchronising the production of strategic intelligence with decision-makers and policy cycles;
- reconceptualising the strategic intelligence role and function with the proposed new framework in Chapter Eight;
- refocusing strategic intelligence on reducing uncertainty and contextualising issues as opposed to making decisions; and
- redefining the relationship between strategic intelligence and policy using the proposed framework in Chapter Eight;

Critical analysis of the research data supported the hypothesis that the nature of police intelligence practice is substantially different than that of national security or military intelligence. Since its inception intelligence studies has developed its doctrine on the clear delineation of strategic, operational and tactical levels of decision-making (Davis, 2007). The case studies revealed that this same delineation is no longer possible given the nature of national-level policing. The research found evidence to support redefining the scope of intelligence studies' definitions of strategic, operational and tactical outside of an organisational structure construct.

The research case studies revealed that intelligence and decision-making processes need to be synchronised to achieve maximise outcomes. Synchronisation places pressure on strategic intelligence to monitor changes in the operating context to ensure planners have the latest intelligence (Davis, 2007). It also places pressure on strategic intelligence to develop estimative products that have a futures focus that extends well beyond the current planning cycle (Quarmby, 2009). The research found that to be fully effective strategic intelligence support to strategy and policy staff should be synchronised with strategy and policy development cycles.

This research has supported the development of two strategic intelligence conceptual frameworks to increase the impact of strategic TOC intelligence. The first of these is a framework for strategic intelligence client interface. This framework addresses many of the shortcomings of the 3-I Model that were found during this research (Ratcliffe, 2008).

The 3-I Model's (Ratcliffe, 2008a) focus on the criminal environment was found to not adequately deal with the complex interface of the TOC criminal environment and the wider social and geo-political context (Sheptycki, 2007). The expansion of the focal point within the new conceptual framework allows intelligence to anticipate future or emerging trends (Quarmby, 2009; and Fingar, 2011). Through the analysis of the known crime environment and its interactions with the wider social and geopolitical context the accuracy of extrapolations can be improved (Walsh, 2011). Furthermore, this level of analysis allows greater understanding of the criminal operating environment, subsequently permitting the development of more accurate anticipative intelligence.

The conceptual framework divides the focus of strategic TOC intelligence between two separate time series: present and future. In the present intelligence focuses on assessing the crime environment and the social and geopolitical setting that is linked with this (Fingar, 2011). The aim is to identify and describe key themes and flash point issues of strategic significance (Davis, 2007).

In contrast with earlier law enforcement intelligence models (Ratcliffe, 2008a and 2008b), this framework identifies a number of decision-support outputs that contribute to strategic decision-making in law enforcement, especially with regards to TOC. Rather than centralising decisions around intelligence, as argued by the 3-I Model (Ratcliffe, 2008a), this framework recognises that intelligence has a part to play but that it is one of a number of diverse inputs. This reduces the direct impact of intelligence as proposed in ILP, from lead to support (Carter and Carter, 2009).

The outcome of the strategic intelligence process is reduced uncertainty faced by decision-makers when making strategic decisions focused on TOC (Fingar, 2011). The outcome is achieved through two parallel outputs communicated to decision-makers. The first output involves identifying and describing strategic risks and opportunities. Similarly, the parallel process seeks to identify and describe the implications from a strategic perspective of changes to the crime environment. The parallel process involves contextualising new risks and opportunities against the existing understanding of these risks (Gimber, 2007). The purpose of this process is to provide the decision-maker with further clarity over the comparative priority of emerging issues.

The research provided evidence that the traditional intelligence studies' conceptualisation of the relationship between policy and intelligence does not sufficiently address law enforcement needs (Cavelty and Mauer, 2009). The re-conception of ILP within this new strategic intelligence conceptual framework results in an additional requirement to redefine the interaction between strategic intelligence, policy and the strategic decision-maker. Whilst the strategic intelligence framework conceptualised the transformative process of strategic intelligence this second framework reinforces the continuous nature of the interaction between policy, strategic intelligence and the strategic decision-maker (Howlett, 2009).

The framework has been developed on the assumption that there are three separate, but interrelated, work spaces: intelligence, policy and strategic decision-making (Johnson, 2009). Each work space consists of transformative processes with inputs, business processes and outputs focused on achieving a specific outcome (Kahn, 2009). The research demonstrated that there is a great deal more interaction between these spaces (intelligence, policy and strategic decision-making) and their transformative processes than previously acknowledged (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011).

The intelligence space is centralised around the transformation of information as well as tactical and operational intelligence into strategic intelligence (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011). The framework proposes that the strategic intelligence transformative processes in law enforcement involve a continuous two-way communication flow with the policy cycle and the decision-maker. The intelligence work space relies on continuous direction throughout the intelligence cycle to ensure that the transformative process output meets the client's needs (Laqueur, 2009; Lowenthal, 2012; and Fingar, 2011).

In an effort to improve the impact of intelligence three additional—and previously not identified—stages of strategic TOC intelligence support to decision-makers have been added to this framework. The first of these seeks to take the output from the strategic intelligence cycle and identify what the implications of the intelligence analysis are for the decision-maker. The implications are then contextualised against other organisational issues/threats. The contextualisation of this issue provides the decision-maker with an improved understanding of the relativity of the decision at hand. More importantly, as a primer for strategy and policy development, contextualising the policy question allows for the potential opportunity to integrate current and future strategies (Howlett, 2009).

The final stage in this process involves developing the overarching policy or strategy question or questions. The aim of this is to ensure that the intelligence process identifies and communicates to the strategic decision-maker the exact implications and issue to be addressed resulting from the strategic intelligence process. The outcome of the strategic intelligence process can then feed directly into the issue identification phase of the policy development cycle, whether at agency or whole-of-government level (Bridgman and Davis, 2000; and Davis, 2007). Rather than simplifying issues for an isolated decision this framework provides a strategic intelligence capability which clarifies and then integrates issues with the decision-maker's strategic context. This places a great deal of emphasis on developing a shared understanding between decision-makers, policy and strategic intelligence.

9.3 Theoretical Implications

The theoretical argument for the implementation of the 3I Model of ILP needs to be revisited on the basis of the research findings. The evidence presented in this thesis highlights a number of practical factors and issues that challenge the validity of current interpretations of ILP within law enforcement. These factors and issues also challenge the validity of the 3I Model in national-level law enforcement agencies. Of particular note is the requirement to reconsider definitions for intelligence, information, knowledge, and crime analysis within law enforcement.

Ratcliffe's (2008a) 3-I Model's focus on the criminal environment is substantially challenged by this research. The research provided evidence that contrary to prevailing theory, the focus of strategic TOC intelligence is divided into two separate time series: present and future. In the present intelligence focuses on assessing the crime environment and the social and geopolitical setting that is linked with this (Fingar, 2011). The main analytical effort is focused on the development of an understanding of the driving factors for the criminal environment. The future focus is on conceptualising the future evolving criminal environment in order that emerging themes can be identified (Quarmby, 2009). This second focal point is concerned with supporting strategic decision-makers with capability development decisions. The understanding of the criminal environment is then conceptualised by acquiring data sets about the wider social and geopolitical drivers (Fingar, 2011). The 3I Model's case for a crime environment needs to be revisited in light of these findings.

This thesis has argued that there remains much to do before an empirically grounded intelligence theory for law enforcement can be developed. Much of the challenge in refining and developing this research's conceptual models into theories involves analysing the intersection and impact of intelligence studies and ILP. The frameworks proposed in this body of work, and their supporting evidence, serve to challenge the acceptance of intelligence studies theories relating to policy–intelligence relations.

Until now intelligence studies focused on the application of intelligence within the national security and military spheres (Kahn, 2009; Davis, 2007; Lowenthal, 2012; Fingar, 2011; and Laqueur, 2009). Its theories are developed from a traditional international relations axiomatic paradigm that focused on national security (Sheptycki, 2009). To date intelligence studies theories and practices have underpinned law enforcement's application of intelligence. The findings of this research challenge the previously accepted universal nature of intelligence across all private and public sector applications. This calls for a review of all intelligence studies theories where universal application was assumed.

9.4 Limitations

One of the most substantial limitations of the research relates to the small interview sample (n=46) used within the AFP case study (Creswell, 2003). Whilst the sample represents a high percentage of the whole population its small numerical numbers make the research findings sensitive to individual responses. The risks associated with this limitation were offset through the application of multi-method data collection, which allowed for the data to be triangulated (Yin, 2003 and Bazeley, 2007). Regardless, the wider application of the research findings is reduced. As highlighted in the literature review (Chapter Two) all previous research has been undertaken with similar small or smaller sample sizes.

As discussed in Chapter Three an explorative approach underpinned the methodology for this thesis. The research design was focused on collecting data from a wide variety of sources. The explorative approach was used to develop a theoretical framework, rather than empirically evaluate existing theory. As a result, the theories, constructs and conceptual frameworks developed in this thesis need further development and refinement before they can be empirically tested (Crotty, 1998).

By virtue of the researcher's knowledge and professional standing within law enforcement he was provided unprecedented access to information and personnel for the AFP case study. Furthermore, the researcher's 20 years of experience in the field encouraged interview respondents to provide larger quantities of information than may have otherwise been offered. Should the research be replicated it is unlikely that the same level of access to data would be possible. Furthermore, without the same level of grounding—in the form of professional knowledge, expertise and experience—a researcher may not obtain the same level of results (Straus and Corbin, 1990).

The supplementary case studies involved an analysis of documents relating to existing law enforcement strategic intelligence models and their reports (Krippendorff, 2004; and Wooffitt, 2009). There are some limitations in the reliability of these corporate documents. There is a potential that the authors of these corporate documents may not have been aware of how strategic intelligence is developed and used within their organisations. In such scenarios, omission of references to strategic intelligence within source documents cannot be automatically interpreted as depicting the true status of intelligence in that organisation.

9.5 Future Research

This body of research has consistently identified a range of potential areas for future research. This potential research falls within two categories: further refinement of the two conceptual frameworks and new research. The first category relates to the opportunity to further refine the conceptual frameworks developed in Chapter Eight. Empirical research provides the potential to further refine and develop a new law enforcement intelligence theory that applies across strategic, operational and tactical applications of intelligence, focused on all crime types.

The second category of potential research relates to new research within the fields of policing, law enforcement intelligence and intelligence studies. This research's findings have consistently touched upon strategic decision-making within law enforcement. Whilst there is an increasing array of research of '*police decision-making*' these studies have not touched upon strategic decision-making (Rogers, 2009; Schneider and Hurst, 2008; and Ransley and Mazerole, 2007). As highlighted within Chapters Two and Eight, strategic management and decision-making within law enforcement are capabilities that are still maturing. There is an excellent opportunity for future research to evaluate strategic decision-making theories for law enforcement.

This thesis concentrated on national policing in Canada, the United Kingdom (UK) and Australia. There is now the opportunity to widen the scope of the research to consider the application of intelligence and strategic intelligence in a range of additional sites with alternative organisational characteristics. There are future research opportunities for research projects to analyse the application of law enforcement intelligence in non-English speaking nations within and outside of Western liberal democracies.

This research has indicated that there is a prospect for future research that compares and contrasts intelligence studies and law enforcement intelligence. Whilst there is extensive research of national security and military applications the same cannot be said for law enforcement intelligence (Kahn, 2009; and Fingar, 2011). The research findings have revealed that assumptions about the dominance of national security and military intelligence within intelligence studies needs to be researched further.

One of the fundamental axiomatic differences between the fields of intelligence studies and law enforcement TOC intelligence is related to the construction of national security (Sheptycki, 2009). Contemporary intelligence studies research continues to engage with a post-modern national security construction (Kahn, 2009). This construction is still based on the power of the nation state with some recognition of the powerful independent actor (Lowenthal, 2012). Law enforcement-orientated studies of the national security threat of TOC engage with the less traditional construct of human security. There is now an opportunity to further compare and contrast these axiomatic positions in future research.

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Appendix 1—Example Research Annotation

Research Annotation

Document: Australian Federal Police Border and International Business Plan 2009/2010

Page 1

'The purpose of the Border and International Function is to contribute to the safety and security of Australians and Australian interests, both nationally and internationally, through the investigation and prevention of transnational offences such as drug trafficking, people smuggling, human trafficking (sexual servitude and labour exploitation) and other crimes relevant to border and international operations.'

Annotation 1: 1700 12 February 2011

This is a very powerful paragraph. It talks about human security opposed to national security but does not term it this way. In this document the AFP does not refer to the security of the nation as a whole but to the safety and security of Australians. I will now need to develop a code to match this observation. More importantly I will need to review the AFP's corporate documentation to identify any additional references that are similar to this.

Page 2

Border and International works collaboratively with domestic and foreign law enforcement agencies to achieve maximum operational outcomes against the above crime types.

Annotation 2: 1710 12 February 2011

This is a powerful statement. The importance and implications of this statement could easily be lost in the perception of cooperation as rhetoric. In stark contrast to that assessment it would appear that this statement is saying that cooperation is about maximising operational outcomes against specific crime types. The implication is that law enforcement does not have endless funds and that by cooperation and perhaps coordination better outcomes could be achieved. Interestingly enough the cooperation is not limited to overseas partners. But could this still be considered rhetoric.

Appendix 2—Example Research Memo

Research Memo

Document: Serious and Organised Crime Agency Annual Report 2009/2010

Memo Entry One: 15/10/2010 12:02 AM

What is interesting about this report is the limited scope in which the term *'intelligence'* is used in. Although SOCA absorbed a number of criminal intelligence responsibilities it is of course important not to consider it an intelligence agency whether national security or criminal. Even that statement is up for grabs now of course. For one moment let's consider the issue of TOC. Numerous western leaders have called TOC and organised crime a national security threat. So is it logical to then say that any agency that has a criminal intelligence responsibility for TOC is now considered a national security intelligence agency?

This could have some serious implications for police to police relationships internationally. Take for example Australia's AFP and Indonesia's INP. Would the INP be as comfortable to share criminal intelligence with the AFP on a police-to-police basis if it considered them an intelligence agency.

Again back to the original observation about the limited use of intelligence within the report. There are discussions of the tactical application of intelligence tools in various parts of the report but very little else. There are of course a number of references to SOCA being an intelligence led agency and to the fact that it is operating in a strategic space. In doing so it highlights the role it plays in coordination and facilitation activities. But there is little reference to strategic intelligence and how it is used to inform decision-making. This could be for a number of reasons. It could be that the report's general statements on ILP imply the role of strategic intelligence. It could also be that it actually plays no role. Or it could be that there is some misunderstanding about strategic intelligence based on mixed terminology. Or also it could be that strategic intelligence is relegated to the various higher level assessments and little else.

Also of interest is the development of a strategy area in the Home Office but not a matching specific strategic intelligence capability. This new unit would develop strategy to reduce harm etc with knowledge and information. The question here I guess is how can this be done i.e. knowledge of sufficient depth to describe the TOC Mystery.

Appendix 3—Purposive Sampling Model: Semi-Structured Qualitative Interviews

Serial	Description	Proposed	Received	Comment
The AFP's Senior Leadership Group		**7**	**5**	*Received not broken down to keep respondents anonymous*
1	AFP Commissioner	1		
2	The AFP Deputy Commissioners	3		
3	The AFP Chief Operating Officer	1		
4	National Manager Intelligence Portfolio	1		
5	National Manager Serious and Organised Crime	1		
AFP Intelligence Portfolio		**21**	**20**	*Received not broken down to keep respondents anonymous*
6	Intelligence Managers	2		
7	Intelligence Coordinators	4		
8	Strategic Intelligence Team Leaders	2		
9	Serious and Organised Crime Team Leaders	3		
10	Strategic Intelligence Analysts	10		
AFP Serious and Organised Crime Portfolio		**14**	**11**	*Received not broken down to keep respondents anonymous*
11	Serious and Organised Crime Manager	1		
12	Serious and Organised Crime Coordinators	2		
13	Serious and Organised Crime Investigators	5		
14	International Manager	1		
15	International Coordinators	2		
16	International Senior Liaison Officers	3		
AFP Policy Portfolio		**6**	**5**	*Received not broken down to keep respondents anonymous*
17	AFP's Senior Policy Officer	1		
18	AFP Policy Staff (Five)	5		
External Clients		**6**	**5**	*Received not broken down to keep respondents anonymous*
19	Australian Crime Commission	1		
20	Australian Customs Service	1		
21	Department of Immigration and Citizenship	1		
22	Australian Tax Office	1		
23	Australian Transaction Reports and Analysis Centre	1		
24	CRIMTrac	1		
Totals		**54**	**46**	

Appendix 4—Invitation to Participate in Doctoral Research

Dear …….,

I am writing to encourage your participation in a doctoral research program being sponsored by the AFP and undertaken by an AFP staff member currently on LWOP; Mr John Coyne. Mr Coyne is currently a Queensland University of Technology (QUT) Doctoral Candidate undertaking a research project to develop an understanding of how to improve the effectiveness and efficiency of strategic intelligence support to the prevention, disruption, detection and investigation of transnational organised crime. Mr Coyne's work to date has resulted in the imminent publication of three journal articles on the subject.

Mr Coyne is currently in the final stage of his doctoral field research and will be undertaking interviews with a range of AFP members over the period 28 February to 6 April. Should you be available to participate it would involve an informal one on one interview of approximately thirty minutes duration. During the interview you will be asked questions about your experience with, understanding and uses of AFP strategic intelligence. At no stage will the AFP, or the QUT be provided with the personal details of those who participated in interviews.

The project is funded by the QUT and supported by the AFP. The funding and supporting bodies will not have access to personally identifying information about you that may have been obtained during the project.

I strongly encourage your support and participation in this timely research project which will be of benefit to AFP and the greater law enforcement community in the future. Attached is a consent form and information flyer on the research project. Participation in this research is voluntary and should you wish to participate please contact Mr Coyne directly as per the attached flyer.

Regards

Assistant Commissioner Tim Morris
National Manager Intelligence

Appendix 5—Doctoral Research Recruitment Flyer

Queensland University of Technology
Brisbane Australia

PARTICIPATE IN RESEARCH

Information for Prospective Participants

The following research activity has been reviewed via QUT arrangements for the conduct of research involving human participation.
If you choose to participate, you will be provided with more detailed participant information, including who you can contact if you have any concerns.

Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crime

Research Team Contacts

John Coyne – Doctoral Candidate	Dr Peter Bell – Supervisor
Queensland University of Technology	School of Justice, QUT
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jw.coyne@student.qut.edu.au	p6.bell@qut.edu.au

Please contact the researcher team members to have any questions answered or if you require further information about the project.

What is the purpose of the research?

The purpose of this project is to develop an understanding of how to improve the effectiveness and efficiency of strategic intelligence support to the prevention, disruption, detection and investigation of transnational organised crime. This research will also seek to identify cultural, organisational and methodological barriers to improving the effectiveness of this support.

Who is funding this research?

The project is funded by the Queensland University of Technology and supported by the Australian Federal Police. The funding and supporting bodies will not have access to personally identifying information about you that may have been obtained during the project.

Are you looking for people like me?

The research team is looking for:

- Users of Australian Federal Police strategic intelligence.
- Producers of Australian Federal Police strategic intelligence.
- Managers of Australian Federal Police strategic intelligence production.
- Executive decision maker in the Australian Federal Police.
- Australian Federal Police policy officers.
- Representative of AFP partner agencies who use Australian Federal Police strategic intelligence products.

What will you ask me to do?

Your participation will involve participation in a one on one interview of approximately thirty minutes duration. During the interview you will be asked questions about your experience with, understanding and uses of Australian Federal Police strategic intelligence.

Are there any risks for me in taking part?

The research team does not believe there are any risks for you if you choose to participate in this research, or where risks exist they have been reviewed and suitable plans put in place. At no stage will you be asked to discuss or provide details of nationally classified or operational information. It should be noted that if you do agree to participate, you can withdraw from participation at any time during the project without comment or penalty.

Are there any benefits for me in taking part?

It is expected that this project will not benefit you directly but it may benefit the Australian Federal Police, and other law enforcement agencies by providing them with greater understanding of how they can enhance the quality of strategic intelligence support to their decision making.

I am interested – what should I do next?

If you would like to participate in this study, please contact John Coyne by either telephone (+849 0808 3911) or email (jw.coyne@student.qut.edu.au).

You will be provided with further information to ensure that your decision and consent to participate is fully informed.

Thank You!

QUT Approval Number:

Appendix 6—Doctoral Research Consent Form

PARTICIPANT INFORMATION for QUT RESEARCH PROJECT

Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crime

Research Team Contacts	
John Coyne – Doctoral Candidate Queensland University of Technology +849 0808 3911 jw.coyne@student.qut.edu.au	Dr Peter Bell – Supervisor School of Justice, QUT +61 7 3138 7105 p6.bell@qut.edu.au

Description

This project is being undertaken as part of a Doctorate of Philosophy for John Coyne. The project is funded by the Queensland University of Technology and supported by the Australian Federal Police. The funding and supporting bodies will not have access to the data obtained during the project.

The purpose of this project is to develop an understanding of how to improve the effectiveness of strategic intelligence support to the prevention, disruption, detection and investigation of transnational organised crime. This research will also seek to identify cultural, organisational and methodological barriers to improving the effectiveness of this support.

The research team requests your assistance because you are either a:

- User of strategic intelligence.
- Producer of strategic intelligence.
- Manager of Australian Federal Police strategic intelligence production.
- Executive decision maker in the Australian Federal Police.
- Australian Federal Police policy officer.
- Representative of an AFP partner agency who uses Australian Federal Police strategic intelligence products.

Participation

Your participation in this project is voluntary. If you do agree to participate, you can withdraw from participation at any time during the project without comment or penalty. Your decision to participate will in no way impact upon your current or future relationship with QUT or with the Australian Federal Police.

Your participation will involve an interview at the Australian Federal Police's national headquarters or other agreed location, and will take approximately thirty minutes. Questions will include:

- What do you feel are the differences between strategic intelligence, policy and police inputs to decision support in the Australian Federal Police?
- What factors do you believe inhibit the Australian Federal Police's strategic intelligence from being more effective?

At no stage during the interview will you be asked or required to discuss or provide details of nationally classified or operational information.

Expected benefits

It is expected that this project will not benefit you directly but it may benefit the Australian Federal Police, and other law enforcement agencies by providing them with greater understanding of how they can enhance the quality of strategic intelligence support to their decision making.

Risks

The research team does not believe there are any significant risks for you if you choose to participate in this research, or where risks exist they have been reviewed and suitable plans put in place. At no stage will you be asked to discuss or provide details of nationally classified or operational information. It should be noted that if you do agree to participate, you can withdraw from participation at any time during the project without comment or penalty.

Confidentiality

All comments and responses will be treated confidentially and will be made anonymous when transcribed. The names of individual persons are not required in any of the responses.

The proposed interview will involve audio recordings. It is possible to participate in the project without being recorded. The researcher will not be verifying comments with participants prior to final inclusion.

At the conclusion of the transcription of interview recordings the recording media will be destroyed. The recordings and transcriptions will not be used for any further purpose than this research. Only the researcher will have access to the audio recordings and interview transcripts.

At no stage will the AFP, the researcher's supervision staff, or the Queensland University of Technology be provided with the personal details of those who participated in interviews. In addition, these stakeholders will not be provided with data which would allow them to identify interview participants.

Consent to Participate

We would like to ask you to sign a written consent form (enclosed) to confirm your agreement to participate.

Questions / further information about the project

Please contact the researcher team members named above to have any questions answered or if you require further information about the project.

Concerns / complaints regarding the conduct of the project

QUT is committed to researcher integrity and the ethical conduct of research projects. However, if you do have any concerns or complaints about the ethical conduct of the project you may contact the QUT Research Ethics Officer on +61 7 3138 5123 or email ethicscontact@qut.edu.au. The Research Ethics Officer is not connected with the research project and can facilitate a resolution to your concern in an impartial manner.

Thank you for helping with this research project. Please keep this sheet for your information.

CONSENT FORM for QUT RESEARCH PROJECT

Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crir

Research Team Contacts	
John Coyne – Doctoral Candidate Queensland University of Technology 0425 250 780 jw.coyne@student.qut.edu.au	Dr Peter Bell – Supervisor School of Justice, QUT +61 7 3138 7105 p6.bell@qut.edu.au

Statement of Consent

By signing below, you are indicating that you:

- have read and understood the information document regarding this project
- have had any questions answered to your satisfaction
- understand that if you have any additional questions you can contact the research team
- understand that you are free to withdraw at any time, without comment or penalty
- understand that you can contact the Research Ethics Officer on +61 7 3138 5123 or email ethicscontact@qut.edu.au if you have concerns about the ethical conduct of the project
- agree to participate in the project
- Understand that audio recording is optional for participation in the research.

☐ I consent to this interview being recorded

☐ I do not consent to this interview being recorded

Name _____

Signature _____

Date _____ / _____ / _____

Media Release Promotions

From time to time, we may like to promote our research to the general public through, for example, newspaper articles. Would you be willing to be contacted by QUT Media and Communications for possible inclusion in such stories? By ticking this box, it only means you are choosing to be contacted – you can still decide at the time not to be involved in any promotions.

☐ Yes, you may contact me about inclusion in promotions

☐ No, I do not wish to be contacted about inclusion in promotions

Please return this sheet to the investigator.

Appendix 7—Application for Low Risk Research Involving Human Participants

University Human Research Ethics Committee

APPLICATION FOR REVIEW OF LOW RISK RESEARCH INVOLVING HUMAN PARTICIPANTS

APPLICATION SECTIONS: A. Research Proposal Overview | B. Participant Overview | C. Data Management

SECTION A: RESEARCH PROPOSAL OVERVIEW

1. Summary Information

1 Project Title

Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crime

1.1 Research summary

The problem that this thesis is seeking to investigate relates to the need for more informed strategic responses to Transnational Organised Crime (TOC) and the pivotal role that strategic intelligence can play in informing these approaches. In the context of the current law enforcement intelligence research, the proposed research will seek to build on previous investigations by exploring the application of their findings in a practical environment at a strategic level. The proposed research is seeking to explore the practical application of contemporary strategic intelligence targeting a specific criminal threat; TOC. The purpose of this study is to develop further understanding of how strategic intelligence supports the prevention, detection, disruption, and investigation of TOC can be improved.

Current research in the field of law enforcement intelligence has continued to focus on developing models and exploring the relationships with police management and law enforcement strategy. The proposed research will explore their contemporary application, and lessons learnt from strategic intelligence in practice to further develop current research. Due to the lack of research in this specific aspect of intelligence and law enforcement, the proposed research will take an explorative approach that will permit the development of new theory, rather than the testing of existing theory. This research will utilise an inductive qualitative theoretical approach.

The research questions for this proposed research relate to developing a better understanding of how a law enforcement organisation can develop their strategic intelligence capability to meet the challenges of TOC. The complexity of the variables involved, and the selected exploratory approach, necessitates the use of multiple data collection methods which will incorporate a multi disciplinary theoretical framework. This framework will allow the use of inductive reasoning in theory development. This research will undertake a comparative approach that utilises historical and archival research, case study analysis and the application of triangulation to provide an understanding of strategic intelligence, law enforcement, TOC and their interactions. As this research requires an understanding of the development of strategic intelligence in a context, a case study will be used. The location for this case study research is the Australian Federal Police (AFP). The research participants will include a range of stakeholders from across the AFP. The research will be undertaken in six stages:

- Stage One – Review of Literature.
- Stage Two – Placing the AFP's Strategic Intelligence responses to TOC in a wider law enforcement context. This stage will involve establishing an archival literature review of existing strategic intelligence models and the conduct of content analysis of archival documents. This stage will examine the strategic intelligence models in the United Kingdom, Canada and Australia. A comparative analysis of these models will be undertaken. This will be followed by the conduct of content analysis of two publicly available reports on TOC for each nation. The first level of analysis will examine content in each report that is related to preventing, detecting, disrupting, and investigating TOC. A second phase of content analysis of these reports will be undertaken to identify predictive, decision support, anticipatory, knowledge management and encyclopaedic intelligence content.
- Stage Three – Review of the AFP's existing strategic intelligence and policy development doctrine and policy. This phase will involve a comprehensive analysis and review of AFP intelligence doctrine and policy. Additional analysis of policy and strategy development doctrine will also be undertaken. These documents will be provided by the AFP. At present they are not in the public domain.
- Stage four – Conduct of Case Study qualitative interviews. This phase will involve the conduct of a range of semi structured qualitative interviews utilising a purposive sampling model. Particular attention in the sampling process will be applied to getting a rich set of data which will allow for triangulation of findings and observations.
- Stage five – Conduct of analysis including discourse analysis.
- Stage six – Drafting of thesis.

1.2 Participant summary

The majority (over 90 percent) of the research participants are members of the AFP. These participants fall into five broad categories:

- The first category consists of the AFP's executive leadership group which is comprised of one commissioner, three deputy commissioners, and eight assistant commissioners.
- The second category can be broadly described as the managers of strategic intelligence within the AFP. This group is comprised of three senior managers and six mid-level managers.
- The third category is comprised of AFP intelligence staff that develop and produce strategic intelligence products. This group consists of intelligence analysts.
- The fourth category can be broadly described as AFP policy staff that use strategic intelligence to develop AFP organisational policies and strategies.
- The final category can be broadly described as AFP operational police, and their managers, who have responsibility for the investigation, disruption and prevention of TOC.

The remainder of the participants can be broadly defined as Commonwealth Agency representatives who are responsible for enforcement activities related to TOC.

1.3 Provide a brief justification for considering this a low risk application.

The proposed research is considered to be a low risk application for the following reasons:

- Firstly, the research does not fall into, or intersect with, any of the 'Designated Chapters' of National Statement on Ethical Conduct in Human Research.
- Secondly, on review the research has almost negligible likelihood of causing harm as defined in Chapter 2.1 of the National Statement on Ethical Conduct in Human Research (2007).
- Of particular note participation in the research is unlikely to result in physical, psychological, devaluation, social, economic or legal harms.

The only foreseeable risk to interview participants relates to the potential for discomfort before the interview and in generating viewpoints on workplace issues during the conduct of interviews.

2. Potential Risks and Benefits

2 Potential Risks —indicate if there are any potential risks associated with the project?

The potential risks associated with the conduct of this research are as follows:

- Given that the AFP's executive have supported the conduct of this research junior staff members may perceive that participation is compulsory.
- During the conduct of interviews AFP staff members may inadvertently divulge national security or operational information.
- The AFP may take action to improve participation rates in interviews which could impact on staff members' ability to make informed consent decisions.
- Responses considered negative to the AFP Executive could result in actions to identify specific comments to specific participants.
- Participants may feel discomfort being asked to provide personal assessments and opinions on issues such as intelligence doctrine and effectiveness.
- The research report will identify contentious issues between organisational sub groups that could impact upon organisational behaviour.

2.1 Managing the risk

To address the potential risks associated with the conduct of this research the researcher has developed a number of mitigation strategies. These strategies will be implemented during the conduct of the research. At the 'whole of project' level many of these strategies are predicated on developing a clear understanding between the researcher and representatives of the AFP executive group as to what access they will have to interview data. The following specific mitigation measures have also been identified:

- Additional time will be allocated to the start of all interviews to clearly explain to participants the concept of informed consent. In the event that there is any indication that a subject is not voluntarily participating the interview will be ceased.
- The researcher currently holds a Top Secret security clearance and is an AFP member on leave. Should material of a classified or operational nature be divulged during an interview no security breach will have occurred. The information that was disclosed will be excluded from records of interviews. Media containing this information will be destroyed in compliance with the Commonwealth Protective Security Manual.
- The AFP research sponsor will not be provided with details of response rates or the personal details of research participants.
- Any comments that are quoted within the final thesis will be reviewed by the researcher to ensure that the participant cannot be identified.
- The interviews will be conducted in a relaxed manner to attempt to reduce the discomfort experienced by participants.

2.2 Potential Benefits — indicate if there are any potential benefits associated with the project and who benefits?

Previous research has consistently highlighted the value of intelligence in law enforcement, but has been primarily focused upon outcomes relating to tactical decisions and investigations. The proposed research will be significant because it will provide an understanding of the impact of strategic intelligence across the range of strategic responses to TOC and their intersection with police management; which needs to be more entrepreneurial. The proposed research is significant as it will explore the practical application of intelligence models that have been previously examined in a theoretical setting and establish their 'value-add' with respect to decision support. In this context the research will also seek to identify the difference between intelligence and police inputs to decision making.

The proposed research will make its original contribution to the field of intelligence in it will explore the effectiveness of strategic intelligence in supporting the prevention, disruption, detection and investigation approaches to TOC. The research will make an original analysis of the relationship between strategic intelligence and strategy setting which remains a much debated subject. Finally, this research will result in the development of a hybrid model for strategic intelligence in law enforcement. In developing this model, a theory of how strategic intelligence interacts and influences management processes in the law enforcement organisation will be developed.

This research has a number of potential benefits for law enforcement globally with respect to the application of strategic intelligence methodologies targeting TOC. Given the research methodology focuses on the AFP it is likely to have strong benefits for them.

2.3 Balancing against the risks

Like all research there are a number of risks associated with the conduct of this proposal. A review of the risks indicates that many of these are minor and the likelihood of each can be reduced by the implementation of risk treatment strategies. After the application of these strategies there is still a likelihood that the research report will identify contentious issues between organisational sub groups that will impact upon organisational behaviour.

The AFP has previously been subject to a number of reviews and research projects that have resulted in varying degrees of internal and external conflict. The AFP executive group in each case has adopted treatment strategies to address the residual effects of these reports on organisational behaviour. The likelihood that this research will produce such a response has been discussed with the AFP project sponsor who has accepted the risk and noted that the treatment would be the AFP's responsibility. The AFP's project sponsor has accepted the risks associated with the research and believes the benefits far outweigh the risks for their organisation.

The researcher's risk review, following the development of the risk mitigation strategies, and the AFP's acceptance of the residual risk, indicates that their or low to negligible risks associated with the proposal. Furthermore, given the benefits that could be realised the research benefits far outweigh the limited risks involved.

3. Other General Information

3 Location of research — Location where the research will be conducted

The field phases of the research will be conducted at the AFP's national headquarters in Barton, Canberra. Interviews with the AFP's external clients will be conducted at their respective offices in Canberra.

The management and analytical phases of the research will be conducted at the researcher's private residence in Ho Chi Minh City, Vietnam. The research phases conducted in HCMC Vietnam will not involve any human data collection.

3.1 Role of QUT HREC (Human Research Ethics Committee) — State if QUT is the primary / only HREC reviewing this proposal

The QUT HREC will be the only HREC reviewing the ethical dimensions of this proposal. The AFP does not operate any ethics committees for research purposes.

3.2 Estimated timeframes for the project

START OF PROJECT: 13 / March / 2010 **START OF DATA COLLECTION:** 01 / September / 2010

END OF PROJECT: 25 / May / 2012 **COMPLETION OF DATA COLLECTION:** 01 / December / 2011

SECTION B: PARTICIPANT OVERVIEW

1 Who will be approached to participate and approximately how many?

The following individuals and groups will be approached:

- The AFP's senior leadership group (Seven total)
  - AFP Commissioner
  - The AFP's Deputy Commissioners (Three)
  - The AFP's Chief Operating Officer
  - National Manager Intelligence Portfolio
  - National Manager Serious and Organised Crime
- Intelligence Portfolio (21 total)
  - Intelligence Managers (Two)
  - Intelligence Coordinators (Four)
  - Strategic Intelligence Team Leaders (Two)
  - Serious and Organised Crime Team leaders (Three)
  - Strategic Intelligence Analysts (Ten)
- Serious and Organised Crime Portfolio (14 total)
  - Serious and Organised Crime Manager
  - Serious and Organised Crime Coordinators (Two)
  - Serious and Organised Crime Investigators (Five)
  - International Manager
  - International Coordinators (Two)
  - International Senior Liaison Officers (Three)
- Policy Portfolio (Six total)
  - AFP's Senior Policy Officer
  - AFP Policy Staff (five)
- External Clients of AFP's Strategic Intelligence (Six total)
  - Australian Crime Commission Senior Intelligence Client
  - Australian Customs Service Senior Intelligence Client
  - Department of Immigration and Citizenship Senior Intelligence Client
  - Australian Taxation Office Senior Intelligence Client
  - Australian Transaction Reports and Analysis Centre Senior Intelligence Client
  - CRIMTrac Senior Intelligence Client

The questions for this research are yet to be finalised but will be generally focussed on answering the following questions:

1. How is strategic intelligence currently supporting decision makers in preventing, detecting, disrupting, and investigating transnational organised crime?
2. How effective are these approaches in supporting law enforcement decision makers in preventing, detecting, disrupting, and investigating transnational organised crime?
3. How do law enforcement strategic intelligence approaches compare with contemporary intelligence model theories?
4. What is the difference between strategic intelligence, policy and police inputs to decision support?
5. What organisational, cultural, methodological and theoretical factors inhibit the effectiveness of strategic intelligence in law enforcement?
6. How can strategic intelligence (as an organisational capability) provide stakeholders with more client focussed products that provide strategic warning and decision support?

1.1 How will the participants be approached and provide their consent to participate?

The AFP's National Manager Intelligence, Assistant Commissioner Tim Morris, will provide the researcher with the contact details of the potential participants. Assistant Commissioner Morris will coordinate approaches to the AFP's executive group as well as senior managers from other Commonwealth Departments which use AFP intelligence products. A/C Morris will send an email to all potential participants inviting and encouraging them to participate in the proposed research by contacting the researcher to organise an interview. The email will have a copy of the 'recruitment flyer' and 'consent form' attached.

The remaining participants including AFP investigators, intelligence and policy staff will also be initially contacted via an email from AC Morris. A/C Morris will send an email to all potential participants inviting and encouraging them to participate in the proposed research by contacting the researcher to organise an interview. The email will have a copy the 'recruitment flyer' and 'consent form' attached. AC Morris's email will provide details of the research and invite participants to participate in the interviews by contacting the researcher via email or telephone to coordinate times for interviews. Each of these emails will be tailored for each of the participant groups (i.e. police investigators, intelligence or policy staff) to explain why they have been selected to participate. This email will specifically highlight that although the AFP is supporting this research their participation is voluntary. In addition, it will be highlighted that no details of either participants or non-participants will be provided to AFP senior management. This group will be asked to provide their consent by agreeing to make an appointment and by completing a consent form.

Assistant Commissioner Morris has indicated that he could direct staff to participate in the research. The researcher has selected this alternate, and more time consuming approach to ensure that junior and mid-level AFP staff are able to make informed decisions about participating in the research.

1.2 Will the study involve participants who are unable to give informed consent? ☒ NO ☐ YES

1.3 Will the potential participants be screened?

No

1.4 Will participants be offered reimbursements, payments or incentives?

No

1.5 Is there an existing relationship with participants?

As the researcher is an executive intelligence manager with the AFP, although currently on leave, he has existing relationships with many of the potential participants. As a result, during initial contact with junior staff, and subsequent interviews, participants will be reminded that the researcher is performing the interviews in his role as a student rather than as an executive in the AFP.

1.6 Is it proposed to conduct a debriefing session at the end of the research (or at the end of each participant's involvement)?

No

1.7 Will feedback, the outcome / results of this research be reported to participants?

The AFP sponsor for this research, Assistant Commissioner Morris, has requested that at the conclusion of the research a formal presentation, of at least one hour duration, be provided to the AFP's executive group. This presentation will outline the key results from the research and provide an opportunity for the executive to discuss the findings with the researcher.

In addition, all participants will be invited to attend a second presentation of the results.

SECTION C: DATA MANAGEMENT

1. Procedures & Protection

1.1 What data collection procedures will be utilised?

QUESTIONNAIRE / SURVEY	☒ NO	☐ YES	**ARCHIVAL RECORDS**	☐ NO	☒ YES
INTERVIEWS	☐ NO	☒ YES	**OTHER INSTRUMENT**	☐ NO	☒ YES
FOCUS GROUPS	☒ NO	☐ YES			

1.2 Have the data collection procedures been previously approved by QUT or are they an academic standard instrument? ☐ NO ☒ YES

1.3 Provide brief details on prior approval / where instruments have been used previously eg under a similar context to this proposal.

Descriptive qualitative research using a variety of collection techniques is a common approach to criminology research. The use of semi-structured qualitative interviews is also a commonly used technique which has been approved by not only the QUT HREC but a number of Australian university ethics committees. The following are examples of where this instrument has been used is similiar circumstances

Thorne, C. 2003, 'Implementation of Community Policing within the Brisbane Metropolitan North Police Region: Issues and Problems'.

Hart, S. 2004, 'Organisational barriers and facilitators to the effective operation of Random Breath Testing (RBT) in Queensland'.

1.4 How will the data be recorded?

Individually Identifiable	☐ NO	☒ YES
Re-Identifiable or Potentially Re-Identifiable	☒ NO	☐ YES
Non-Identifiable	☐ NO	☒ YES

1.5 Data Ownership and Access

The data collected during the course of this research will be owned by the researcher. Access to raw and analysed research data will be limited to the researcher. All electronic files will be stored on a standalone laptop computer which will not have access to any other network. This laptop will be password protected with the researcher having sole access to the password and computer hardware. When not in use the laptop will be stored in a key locked filing cabinet which the researcher has sole use and access. The two external backup drives will also be secured in a seperate fire proof security safewhen not in use. As such physical and electronic access to the research data will be limited to the researcher.

1.6 Protecting Confidentiality

The confidentiality of interview participants will be strictly protected. The personal details of interview participants will be kept separate from all records of interviews. A central register of interview participants will be maintained. Each participant will be allocated a code which will be the only identifying link between interview records and personal details. The central register will be the only place where the personal details and code will be stored in the same location. The file containing this log will be kept in softcopy and will be password protected. The researcher will be the only person with access to this code.

At no stage will the AFP, the researcher's supervision staff, or the Queensland University of Technology be provided with the personal details of those who participated in interviews. In addition, these stakeholders will not be provided with data which would allow them to identify interview participants.

If the researcher wishes to identify a specific quote to a specific interview (for example the AFP's Commissioner) then written permission to do so will be sought from the participant. The researcher will maintain a central register to record this permission process.

2. Storage & Security

2.1 Records stored for required period ☐ NO ☒ YES

2.2	**Location of storage**	All data will be stored off site at the researcher's residence. Soft copy data will be stored on a standalone laptop without access to the internet. This data will also be backed up to two 1.5 terabyte external drives. All electronic media files will be stored in a lockable four drawer filing cabinet. All tape recordings and notes will also be stored in a lockable four drawer filing cabinet.
2.3	**Approval from Faculty for storage if off site**	☐ N/A ☐ NO ☒ YES
2.4	**Who will have access?**	The researcher and his Supervisor (Dr Peter Bell will have sole acces to the data. The Supervisor will be provided access by one, or a combination of two, of the following means: • Access provided to an external backup of the data during regular visits to QUT. • The researcher sending one of the external backup devices to the supervisor via the Diplomatic Courier Service. • Emailing of requested data using 'zip' software
2.5	**How will access be controlled?**	Physical security will be provided by a key locked four drawer filing cabinet.

3. Privacy of Information Held by Commonwealth Agencies

3.1	Is this a **medical research** proposal (including epidemiological research)?	☒ NO–**go to 4**	☐ YES
3.2	Does the proposal require the use or disclosure of information from a **Commonwealth agency**?	☐ NO	☐ YES
3.3	Does the proposal require use or disclosure of **personal information?**	☐ NO	☐ YES
3.4	Does the proposal involve **not obtaining consent** from the individuals to whom the information related?	☐ NO	☐ YES

4. Privacy of Information Held by Private Sector

4.1	Does the proposal involve: • Research relevant to public health or safety? ***OR*** • The compilation or analysis of statistics relevant to public health or safety? ***OR*** • The management, funding or monitoring of a health service?	☒ NO–**go to 5**	☐ YES
4.2	Does the proposal involve collection, use or disclosure of information from a **private sector organisation**?	☐ NO	☐ YES
4.3	Was it **necessary** to collect, use or disclose **health information**?	☐ NO	☐ YES
4.4	Was it **impracticable** for **consent to be obtained** from the individuals to whom the health information related?	☐ NO	☐ YES

5. Specific details

Where you have answered "Yes" to any of the questions in Parts 3 and 4 above (access to Commonwealth or Private Sector Health Data), please provide the following information.

5.1	**Agency**
5.2	**Number of records**
5.3	**Information Privacy Principles** — Will this access constitute a breach of an Information Privacy Principle (eg access to this data without the prior approval of the participants)?

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Appendix 8—Approval of Site Data Storage

Mr John Coyne
HCMC Bag International Network
Australian Federal police
GPO Box 2936, Canberra, ACT 2601

July 6, 2010

Professor Kerry Carrington
School of Justice
Faculty of Law
Queensland University of Technology
GPO Box 2434, Brisbane QLD 4001

Subject: Request for Approval for the Storage of Doctoral Research Off-Site – John Coyne

Dear Professor Carrington,

In response to the recommendations of the QUT Research Ethics Unit I am writing to request your approval for the storage of data relating to my doctoral research off-site.

As you may be aware I am a full time doctoral candidate currently residing in Ho Chi Minh City, Vietnam. Although the field phases of my research will be conducted at the AFP's national headquarters in Barton, Canberra, the management and analytical phases of the research will be conducted at the my private residence in Ho Chi Minh City, Vietnam.

In making this request I wish to assure you that a range of physical, electronic and procedural security measures are in place that will significantly reduce the risk of physical loss and unauthorised access. As I have accompanied my partner on posting to Vietnam, my residence has been inspected by the Australian Federal Police and the Department of Foreign Affairs who have implemented a range of security measures. These measures include the provision of 24 hour on-site guard services as well as external close circuit television cameras.

Access to raw and analysed research data will be limited to me, and on request Dr Peter Bell. All electronic files will be stored on a standalone laptop computer which will not have access to any other network. This laptop will be password protected and I will have sole access to the password and computer hardware. When not in use the laptop will be stored in a key locked filing cabinet which the researcher has sole use and access. This data will also be backed up to two 1.5 terrabyte external drives. The two external backup drives containing data will be secured in a safe located separately in my residence. All tape recordings and notes will also be stored in a lockable four drawer filing cabinet. Access to both the filing cabinet and safe will be restricted to myself.

As a result of these measures physical and electronic access to the research data will be limited to myself. As you can see I have placed a high priority on the protection of my research data and believe that these measures significantly mitigate against any potential risk. Please note my supervisor's support for this request As a result I request you approval for me to store my research data offsite.

Thank you,

John Coyne

Supervisor Support

Supported/ Not Supported

Name: Dr Peter Bell Signature: Date: 7 July 2010

Head of School Approval

Approved/ Note Approved

Name: Professor Kerry Carrington Signature; Date: 12 July 2010

Appendix 9—AFP Letter of Support

INTELLIGENCE

GPO Box 2936 Canberra City ACT 2601
Telephone +61 2 61315660 Facsimile +61 2 6275 7567
Email tim.morris@afp.gov.au
www.afp.gov.au
ABN 17 864 931 143

13 July 2010

Subject: Australian Federal Police Support for Mr John Coyne's Doctoral Research

Dear Mr Coyne,

I am writing to you with respect our previous discussions relating to your request for access to AFP staff and documents for the conduct of Doctoral research titled *'Strategic Intelligence in Law Enforcement: Anticipating Transnational Organised Crime'*. As I have previously indicated I am pleased to offer my personal and the AFP's support for your research. The AFP fully supports the value of your research question *'How can strategic intelligence be more effective in supporting law enforcement executive decision makers in preventing, detecting, disrupting, and investigating transnational organised crime*'.

In approving this support, I acknowledge that I am fully aware of the following risks relating to your research:

- Given that the AFP's Executive have supported the conduct of this research junior staff members may perceive that participation is compulsory.
- During the conduct of interviews AFP staff members may inadvertently divulge national security or operational information.
- The AFP may take action to improve participation rates in interviews which could impact on staff members' ability to make informed consent decisions.
- Responses considered negative to the AFP Executive could result in actions to identify specific comments to specific participants.
- Participants may feel discomfort being asked to provide personal assessments and opinions on issues such as intelligence doctrine and effectiveness.
- The research report will identify contentious issues between organisational sub groups that could impact upon organisational behaviour.

I also acknowledge that you have implemented the following mitigation strategies:

- That you will allocate additional time to the start of all interviews to clearly explain to participants the concept of informed consent. In the event that there is any indication that a subject is not voluntarily participating you terminate the interview.
- That should material of a classified or operational nature be divulged during an interview no security breach will have occurred due to your security clearance but such information will not be used in your research. Any classified or operational information that may be disclosed will be excluded from records of interviews. Media containing this information will be destroyed in compliance with the Commonwealth Protective Security Manual.
- The AFP will not be provided with details of response rates or the personal details of research participants.
- Any comments that are quoted within the final thesis will be reviewed by the researcher to ensure that the participant cannot be identified.

- The interviews will be conducted in a relaxed manner to attempt to reduce the discomfort experienced by participants.

I wish to confirm that I am satisfied with your management of the risks outlined above and will accept the residual risk and associated consequences of these risks should they be realised. I accept these risks based on the belief that the benefits from this research far outweigh the risks.

I also wish to confirm my willingness to assist you with the recruitment of potential AFP research interview participants. Prior to the commencement I will send an email to potential participants informing them of the opportunity to participate in the research, and encouraging them to contact you if they are interested in participating

In closing I look forward to hearing further about the progress of your research and its findings.

Tim Morris
National Manager
Intelligence

Appendix 10—QUT Human Ethics Approval Certificate

University Human Research Ethics Committee

HUMAN ETHICS APPROVAL CERTIFICATE

NHMRC Registered Committee Number EC00171

Date of Issue: 13/9/10 (supersedes all previously issued certificates)

Dear Mr John Coyne

A UHREC should clearly communicate its decisions about a research proposal to the researcher and the final decision to approve or reject a proposal should be communicated to the researcher in writing. This Approval Certificate serves as your written notice that the proposal has met the requirements of the *National Statement on Research involving Human Participation* and has been approved on that basis. You are therefore authorised to commence activities as outlined in your proposal application, subject to any specific and standard conditions detailed in this document.

Within this Approval Certificate are:

* Project Details
* Participant Details
* Conditions of Approval (Specific and Standard)

Researchers should report to the UHREC, via the Research Ethics Coordinator, events that might affect continued ethical acceptability of the project, including, but not limited to:

(a) serious or unexpected adverse effects on participants; and
(b) proposed significant changes in the conduct, the participant profile or the risks of the proposed research.

Further information regarding your ongoing obligations regarding human based research can be found via the Research Ethics website http://www.research.qut.edu.au/ethics/ or by contacting the Research Ethics Coordinator on 07 3138 2091 or ethicscontact@qut.edu.au

If any details within this Approval Certificate are incorrect please advise the Research Ethics Unit within 10 days of receipt of this certificate.

Project Details

Category of Approval: Human non-HREC

Approved From: 2/08/2010 **Approved Until:** 2/08/2013 (subject to annual reports)

Approval Number: 1000000628

Project Title: Strategic intelligence in law enforcement: anticipating transnational organised crime

Chief Investigator: Mr John Coyne

Other Staff/Students: Dr Peter Bell

Experiment Summary:
Develop an understanding of how to improve the effectiveness of strategic intelligence support to the prevention, disruption, detection and investigation of transnational organised crime.

Participant Details

Participants:
Approximately 120

Location/s of the Work:
Australian Federal Police, Barton, Canberra

Conditions of Approval

Specific Conditions of Approval:

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University Human Research Ethics Committee

HUMAN ETHICS APPROVAL CERTIFICATE

NHMRC Registered Committee Number EC00171

Date of Issue: 13/9/10 (supersedes all previously issued certificates)

No special conditions placed on approval by the UHREC. Standard conditions apply.

Standard Conditions of Approval:
The University's standard conditions of approval require the research team to:

1. Conduct the project in accordance with University policy, NHMRC / AVCC guidelines and regulations, and the provisions of any relevant State / Territory or Commonwealth regulations or legislation;

2. Respond to the requests and instructions of the University Human Research Ethics Committee (UHREC);

3. Advise the Research Ethics Coordinator immediately if any complaints are made, or expressions of concern are raised, in relation to the project;

4. Suspend or modify the project if the risks to participants are found to be disproportionate to the benefits, and immediately advise the Research Ethics Coordinator of this action;

5. Stop any involvement of any participant if continuation of the research may be harmful to that person, and immediately advise the Research Ethics Coordinator of this action;

6. Advise the Research Ethics Coordinator of any unforeseen development or events that might affect the continued ethical acceptability of the project;

7. Report on the progress of the approved project at least annually, or at intervals determined by the Committee;

8. (Where the research is publicly or privately funded) publish the results of the project is such a way to permit scrutiny and contribute to public knowledge; and

9. Ensure that the results of the research are made available to the participants.

Modifying your Ethical Clearance:
Requests for variations must be made via submission of a Request for Variation to Existing Clearance Form (http://www.research.qut.edu.au/ethics/forms/hum/var/var.jsp) to the Research Ethics Coordinator. Minor changes will be assessed on a case by case basis.

It generally takes 7-14 days to process and notify the Chief Investigator of the outcome of a request for a variation.

Major changes, depending upon the nature of your request, may require submission of a new application.

Audits:
All active ethical clearances are subject to random audit by the UHREC, which will include the review of the signed consent forms for participants, whether any modifications / variations to the project have been approved, and the data storage arrangements.

End of Document

Appendix 11—Research Diary Extract

Date: ***12 June 2011***

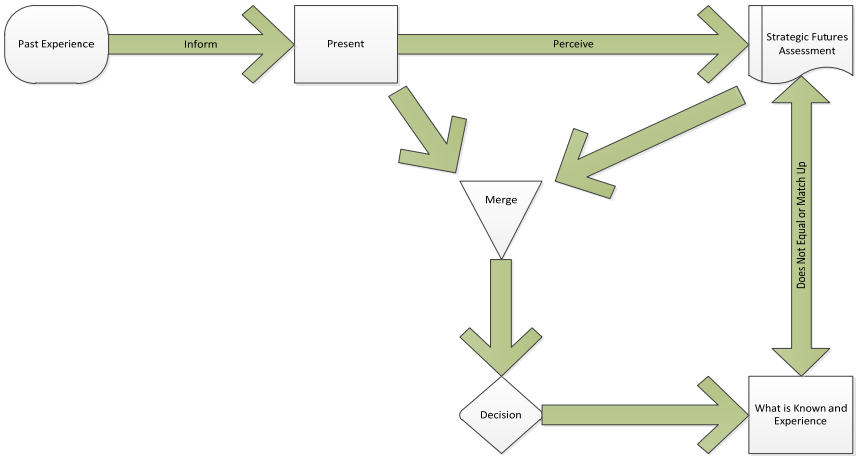
Keywords: ***Strategic Intelligence, Futures Work, Imagination***

Today I spent time reading a couple of new references and coding interview subjects 015-020. During the conduct of this analysis I started to see how customers of intelligence often criticise strategic intelligence's future's work as being inaccurate. I started to think about this and try and develop some sort of conceptual model for why this might be occurring. This was based on an assumption that they cannot always be wrong. On reflecting on a number of references I revisited some of the early interviews with intelligence professionals and senior managers.

In a law enforcement sense a lot of work is done based on what has happened in the past. So we see the analysts start their work by looking at the past both in the sense of historical reporting but in the sense that all reporting is historical in nature with very little intelligence and information being real time in nature. This is likely to lead to the presence of some bias especially in analysis is undertaken without imagination. This aside I began to see that strategic intelligence is a merging of past reporting, present context and strategic futures work that is merged.

But the future cannot be stable in nature. The minute a decision is implemented then a new course of action and future is likely set in motion. For example if the AFP start targeting organised crime groups from China as they are an emerging threat then other groups may see a weakness or opportunity for exploitation. As a result even though the strategic futures work has guided a decision the future has changed from that which was projected based on the present. So it may not be that futures work is inaccurate but it might be that futures work is its most accurate at the moment it is developed. As time passes from its development to decision and strategy implementation then it may become more inaccurate. I developed the diagram below to represent this process. I think this has a number of important implications for intelligence professionals and senior decision-makers.

The first is that the accuracy factor of strategic intelligence may in fact opposite of what was previously considered. Many intelligence staff have argued that strategic intelligence is longer term and less likely to change. Based on this model, however, this could be untrue. Secondly, there may be greater scope for the inclusion of analysis of policy/strategy implications on strategic intelligence work.



Item	Y/N
New Reference/s Recorded in End Note	**Y**
Hard Copies Filed	**Y**
Soft Copies Filed	**Y**
Diary Coded in NVivo	**Y**
Any Points Requiring Supervisory Input/Comment/Assistance	**N**

Appendix 12—Research Timeline

Time Line for Completion of Doctoral Program - Mr John William Coyne

	2010									2011												2012						
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	**Key Dates**	**Resource Implications**
PhD Milestones																												
Stage Two																											15-May-10	
Confirmation																											20-Aug-10	Travel to Australia from Vietnam
Annual Progress																											17-Sep-10 and 17-Sep-11	
Final Seminar																											18-Mar-12	Travel from Canberra to Brisbane
Lodgement																											25-May-12	

	2010									2011												2012						
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	**Key Dates**	**Resource Implications**
Generic Capabilities																												
Advanced theoretical knowledge and analytical skills, as well as methodological, research design and problem-solving skills in a particular research area.	JSB 273 Crime Research Methods			Confirmation Seminar and Develop Method																							JSB 273 to be completed in Semester one 2010	Travel to Australia from Vietnam
Advanced information processing skills and knowledge of advanced information technologies and other research technologies.	AIRS						Data analysis																				AIRS to be completed in Semester one 2010	
Independence in research planning and execution, consistent with the level of the research degree.				Develop Tools																								

	2010									2011												2012						
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	Key Dates	Resource Implications
Generic Capabilities																												
Competence in the execution of protocols for research health and safety, ethical conduct and intellectual property.	Confirm IP Arrangements																									Ethics application to be completed by 21-May-10	
	Submit Ethics Application																										
Skills in project management, teamwork, academic writing and oral communication.	Meeting Final Seminar timeline																										
Awareness of the mechanisms for research results transfer to end-users, scholarly dissemination through publications and presentations, research policy, and research career planning.						Journal																		Journal			

	2010									2011												2012							
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	Key Dates	Resource Implications	Constraints
Research Process																													
Stage One - Literature Review																													
Accessing Literature																													
Consider Methodologies																													
Consider Resourcing																													
Stage Two - Placing the AFP's Strategic Intelligence responses to TOC in a wider law enforcement context																													
Develop Tools																													
Revising Tools																													
Access Sample																													
Fieldwork																													
Deliver Tools																													
Gather Results																													
Stage Three - Review of existing AFP Intelligence Doctrine and Policy																													
Develop Tools																													
Revising Tools																													
Access Sample																													
Fieldwork																													

	2010									2011											2012							
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	Key Dates	Resource Implications	Constraints
Coursework																													
JSB 273 Crime Research Methods																											JSB 273 to be completed in Semester one 2010		
Advanced Information Retrieval Skills (IFN001 Mandatory for PhD candidates)																											AIRS to be completed in Semester one 2010		
Thesis Writing																													
Title & Abstract																													
Introduction																													
Literature Review																													
Methodology																													
Stage Two Data Analysis																													
Stage Three Data Analysis																													
Stage Four Data Analysis																													
Stage Five Data Analysis																													
Discussion																													
Conclusion																													

	2010									2011											2012							
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	Key Dates	Resource Implications	Constraints
Research Process																													
Stage Four - Conduct of field phase qualitative interviews																													
Develop Tools																													
Revising Tools																													
Access Sample																													
Fieldwork																											Travel to Australia from Vietnam		
Deliver Tools																													
Gather Results																													
Outputs																													
Conference Papers																													
Journals																													